

Hawaiian Gazette.

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OCT 19 1904
SMITHSONIAN DEPOSIT.

VOL. XXXIX, NO. 81.

HONOLULU, H. T., FRIDAY, OCTOBER 7, 1904—SEMI-WEEKLY.

WHOLE No. 2631.

MURDER FIRST DEGREE FOUND AGAINST MIRANDA

The Jury Deliberated More Than One Hour.
Miranda on the Witness Stand—Last
Days' Proceedings.

"TERRITORY OF HAWAII vs. JOSE MIRANDA. MURDER. WE THE JURY IN THE ABOVE ENTITLED CAUSE FIND THE DEFENDANT GUILTY OF MURDER IN THE FIRST DEGREE.

"JONATHAN SHAW,
"FOREMAN."

With the rendering of the foregoing verdict at 5:25 p. m. yesterday, the trial of Jose Miranda for the murder of Samuel Edward Damon on the night of Tuesday, September 27, 1904, came to an end. The case was called for trial on Monday morning last. Two days were consumed in obtaining a jury, so that the actual trial occupied two days.

After the polling of the jury and the noting of exceptions as stated in the regular order of proceedings below, the court consulted counsel on the time for delivery of sentence.

SENTENCE ON TUESDAY.

Judge Gear, on continuing the case for sentence until Tuesday morning, made the following remarks:

"Before the court takes adjournment the court wishes to thank the counsel for the defendant for the faithful and able manner in which they have performed their duties. It was a labor of love in the interests of justice, taking up the case at the request of the court, and receiving no compensation. The court thanks you, Mr. Thompson, and asks you to thank Mr. Davis, who is absent."

LARGE CROWD PRESENT.

The courtroom was crowded throughout the day, even to most of the standing room, with a heterogeneous assembly as to racial features. There was if anything a larger attendance when the verdict was rendered than at any previous time of the day. While a goodly proportion of the spectators consisted of respectable citizens, dropping in at intervals of leisure and after business hours, there was a considerable presence of the element for which criminal courts are established.

Next to the verdict itself, the feature of the day was Miranda's appearance on the witness stand in his own behalf. A perusal of the result below will probably convince the reader, as it did intelligent people who heard the interpretation in court, that the defendant supplied whatever might be lacking in proof of malice aforethought and premeditation as those elements of a murder case are judicially defined.

The length of time taken by the jury to agree upon their verdict was caused, it is said, by two of the jurors holding out awhile for a verdict of manslaughter.

Miranda was indicted, it may be recalled, the day after the murder.

CHITO'S EVIDENCE.

Chito, called "the blind boy" on account of some trouble with his sight the time of the murder, concluded his evidence at the opening of court in the morning. When "the man in the buggy" after alighting had asked Miranda a third time to put the lantern back, witness saw no more, as he ran away. He was carrying the woman's shoes and dropped one of them. At the top of the hill the three joined hands and ran. Jose told him he had cut one of his hands and witness asked him if he had cut the man. Miranda told him he had, that he had cut him in the stomach. Miranda carried witness across a bridge and ditch on his back, as they struck the railroad track. He told witness he cut his hand on the knife when stabbing the American.

Cross-examined, Chito said he had worked at plantation labor most of his life; worked at Waipahu three years ago; was in Honolulu two years in jail for breaking a window and stealing watches; could not tell whether the American came out of his buggy before the conversation, because he could not see that night.

Thomas Anderson, employed on the Damon premises, testified to the placing of the lantern on the roadside.

THE WOMAN'S STORY.

Marie Antonia Collona, sworn, de-claimed in a high key the following prelude to her testimony: "Tell the Judge I'm going to tell nothing but the truth."

Witness said she heard threats every day, as she traveled in the patrol wagon, to and from court, from Porto Ricans to kill her for testifying against Miranda. Judge Gear regarded this as a serious matter, which should be attended to by the police.

Witness was with defendant at Moanalua on September 27; they had a meal there, she having brought food from town. In the evening Miranda gave her a dozen rocks to hold, which

tired her hands; she threw them away. She told Miranda she wanted to go home to her bed; she was not a dog to sleep in the woods; defendant stayed with Chito while she went to get a bundle of clothes; then they took hold of Chito's hands and started on. They saw two lights on the Government road; Jose told her to take one of them; she refused, saying it was not hers, and Jose got the light himself.

As they went on, the buggy passed them; the man in the buggy asked where they got the light. Jose answered: "You go to hell, it's none of your business." The buggy went on and came back, and Jose threw the lantern away; he said he wanted his hands clear to defend himself; the buggy came near running over them.

Jose jumped to one side and witness seized Chito and took him to the other side; the American got out of the buggy and looked at her for about three minutes, then he told Jose to return the light and Jose swore at him; then the American took hold of Jose's shoulders and shoved him; that was the time Jose stabbed him. Jose threw away the knife and said they would have to run. Chito stumbled in a ditch and witness lost a shoe; Jose went ahead; he told Chito he was cut; Jose carried Chito across ditches on his back.

Cross-examined by Mr. Thompson, Marie said she had talked with the Attorney General but not that day and only once when Chito was present. When the American came back in the rig, Jose first asked him what he wanted. Witness said before she went to jail she did washing for two Porto Rican boys, who paid her ten cents for two pieces.

Mr. Davis about this stage put some questions. "You better go please put the light back," was what the American said. Witness illustrated with the interpreter how Damon laid hands on the defendant, pressing lightly with the ends

(Continued on Page 5.)

SAW THE FIGHTING

Correspondent From
the Battlefields
Here.

There were only two correspondents that saw the battle of Liao Yang and one of them is in this city. He is Grant Wallace, leading editorial writer of the San Francisco Bulletin and a prominent artist and newspaper man of San Francisco. How he managed to get to the front when others failed and his experiences on the firing line of the greatest battle of this generation and one of the greatest of modern times is a story that reads like a novel and speaks volumes for the grit and enterprise of the modern newspaper man.

On the evening of the 29th of August the Russian army lay entrenched in a semicircle about the city of Liao Yang. The center and the right wing were posted on a chain of hills in which were three prominent elevations. Opposite the Russian lines lay the Japanese army in a huge horseshoe. General Oku's army was on the left, General Takushan in the center and General Kuroki on the right. In the Takushan army were two divisions and in Kuroki's were four. General Oku had between three and four hundred guns in the cane fields in which his army was encamped. The Russians maintained two lines of defence.

The battle began with the attempt of General Kuroki to cut off Kuropatkin's line of retreat and skirmishes between Oku's cavalry and Stakelberg's corps. At this time the war correspondents, some fifteen or twenty in number were under the care of military chaperones in the rear of Oku's army. Attached to the headquarters of the Japanese army as Mr. Wallace puts it. The officials had promised them that this time they would see a real fight. Wallace suggested that as the promises had never been fulfilled that it might be a good idea to sit down and tell the officers that no news would be sent but when the chaperones said that the men could go up on a hill and see the fight all eagerly followed with the exception of Wallace and Whiting, artist of the London Graphic. As soon as the other correspond-

JAPAN BELIEVES SHE CAN BORROW A QUARTER OF A BILLION PER ANNUM



MARQUIS OYAMA, COMMANDER-IN-CHIEF OF THE JAPANESE FORCES.

GENERAL KODAMA (STANDING), GENERAL TERAUCHE (SITTING).

From stereograph copyright, 1904, by H. C. White Co., New York; H. G. Portt ng, artist.

ents had gone the two set out eastward toward the hill. After traveling together a while they separated. Of the entire party which started to the front Wallace was the only one that got near enough to smell powder.

The second correspondent who saw the battle was Lieut. Kann of the French army who is doing work for the Paris Figaro. He fell in with Wallace on the way and they both reached the camp of the Takushan army without any trouble. There they saw the three days of heavy fighting. The first attack of the Japanese was directed against Wedge Hill, the most easterly of the three hills. This summit was occupied by the Russian center. The first attack was repulsed and from that time on the battle raged fiercely along fifteen miles of front. The Russians sent up a balloon to determine the Japanese position and as soon as they were located the Russian shells began to churn up the dust on the hills. At noon on the 30th Takushan charged and took Wedge Hill (Continued on Page 5.)

Russians Are Preparing to Move Out of Mukden—Sally From Port Arthur?

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Oct. 7.—Count Okuma in his budget speech predicted that the war would cost Russia two billion dollars. If necessary Japan could borrow \$250,000,000 per year providing the \$75,000,000 already borrowed abroad caused no depreciation of securities.

MOVING AT MUKDEN.

MUKDEN, Oct. 7.—There is an unusual bustle here, the streets being crowded with carts and mules. Evidently something is in the wind.

PROBABLY EVACUATION.

ST. PETERSBURG, Oct. 7.—It is believed the activity at Mukden indicates an evacuation.

A PORT ARTHUR RUMOR.

ST. PETERSBURG, Oct. 7.—A report that the Port Arthur squadron has made another sortie is received with some credence here.

AFTERNOON REPORT.

MUKDEN, Oct. 6.—The main forces of both armies are quiet. The scouts are active.

CHEFOO, Oct. 6.—The Japanese squadron is thought to have been damaged by a storm in the Yellow Sea.

TOKIO, Oct. 6.—Count Okuma in a public address warns the people of Japan to prepare for a long war. He predicts that the cost to Japan of two years' war will be a billion dollars. He alleges that the Japanese officials are corrupt.

MUKDEN, Oct. 5.—Skirmishes on Kuropatkin's front indicate a forward movement by Oyama.

KUROKI IS LOCATED.

ST. PETERSBURG, Oct. 5.—Kuroki's forces have been located at Bentsiaputze. Their position is unchanged. Nodsu is at Yentai and Oku west of the railway.

FEAR CHINESE DISORDERS.

LONDON, Oct. 5.—The Japanese have begun an agitation in north China which, it is feared, may cause disorders in the event of Russian success, causing the leading powers to intervene.

QUIET AT VLADIVOSTOK.

VLADIVOSTOK, Oct. 5.—Everything is quiet here and the people are returning. Salt is scarce. The navigation of the Amur will soon close.

ST. PETERSBURG, Oct. 6.—It is rumored that Alexieff will succeed Lamadoff as Minister of Foreign Affairs. Kuropatkin's friends are confident that he will be given temporary command of both Russian armies.

BRIGANDS AID JAPANESE.

ST. PETERSBURG, Oct. 6.—Ten thousand Chinese brigands are co-operating with the Japanese.

ADVANCE POSTS DRIVEN IN.

HARBIN, Oct. 6.—It is reported that the Japanese advance posts have been driven back along the line between Hunao and Bensihu.

RECRUITING CHINESE.

MUKDEN, Oct. 6.—The Japanese are recruiting Chinese militia.

HUNDRED DOLLAR ROUND TRIP RATE MADE BY THE VANCOUVER STEAMERS

Canadian Pacific Railway Company.

Office of the Passenger Traffic Manager.

Montreal, Sept. 16, 1904.

E. M. Boyd, Esq., Secretary Hawaii Promotion Committee,
San Francisco, Cal.

Dear Sir: Replying to your recent favor I take pleasure in advising you that we have arranged for our November, December and January sailings to sell at a special round trip rate of \$100.00 from Portland, Puget Sound and British Columbia ports to Honolulu and that this rate will be used for basing purposes by all agents east of Vancouver. I trust that this may produce the desired result.

Yours truly,

ROBERT KERR.

(Signed)

The above letter was received a few days ago by Secretary Boyd of the Promotion Committee and was laid before the regular session of that body yesterday afternoon. It was the cause of great rejoicing because it means that the committee has at last some definite result after its strenuous campaign for lower rates between the coast and Hawaii. Formerly all the lines were in an agreement by which tickets were sold at the same rate and were good on any of the lines. The rate just made by the Canadian Pacific people is entirely outside of this agreement and is good only on the boats of the Canadian-Australian line.

Although this rate does not involve the other companies they will keep a close eye on the flow of traffic and if it turns to the "All Red" line it is more than probable that there will be more rate-cutting. The rate quoted is an experiment for the months indicated but if it proves a success the company has assured the local committee that it will be continued. The reduction of \$35 in the round trip rate is a big cut and will mean considerable saving even taking into consideration the railway fare from San Francisco to Vancouver.

JURY IS SWORN IN

Twelve Men Ready to Try Jose Miranda.

(From Wednesday's Advertiser)

Jonathan Shaw, Sam. E. Pierce, Charles Hummel, W. C. Wilder, W. Matlock Campbell, C. J. Ludwigen, W. Kaohi, F. J. Dutra, Frank E. Blake, C. F. Merrifield, F. E. Nichols, B. F. Vickers.

The above is the jury that will try the case of the territory of Hawaii vs. Jose Miranda, charged with murder in the first degree, it being alleged that the defendant is the one who murdered S. Edward Damon on the night of Tuesday, September 27, near Moanalua, by stabbing him with a knife.

It was late in the day when the jury was finally found satisfactory to both sides, the last man going into the box, also being the last man on the special venire.

EXCUSES OF JURORS.

When the examination of prospective jurors was made by M. F. Prosser for the Attorney General's Department, and by George A. Davis and Frank Thompson for the defense, there were some amusing reasons given why they should be excused, although many were for urgent business reasons. A. B. Arleigh, was excused on his plea of business affairs. E. A. Lewis had scruples against the infliction of the death penalty. Harry Armitage had business affairs to attend to. A trio of Hawaiians could not understand English. Jonathan Shaw passed the ordeal and was accepted. J. A. McCandless was excused as having formed an opinion, and Charles S. Crane for the same reason.

THE JURY COMPLETED.

Haiola, served to appear as a juror, was discovered to be a police officer and was present in his uniform. He had been a member of the force for ten months.

L. de L. Ward was excused as being sick.

Edwin L. Brown was the only one who could attend to his business. He had several engagements which required his personal attention. His firm the Dearborn Drug and Chemical Co. was a foreign corporation, and had paid a Territorial tax. This was noted amid laughter.

Manuel Miranda, no relative of the murderer was not of age, being only 17 years of age.

H. W. Lake arose. "Can't you find a seat Mr. Lake," inquired the court. (Laughter.) "You wish to be excused?" "Yes, sir," Davis objected, but the court excused the hotel man.

H. F. Davidson was excused for "the same old reason"—only one who could attend to his dress-making business.

Mr. Hummel was then called to the jury box. He had no scruples against the infliction of capital punishment. He was passed for cause by both sides.

Mr. Axtell was then excused by the prosecution.

John Isaacs had no scruples against the death penalty, although his answers were somewhat indefinite. He was not sure what a "reasonable doubt" meant, but he was sure he could give the prisoner a fair trial. Thompson objected to the juror as not being sufficiently versed in English to be able to understand the Judge's instruction to the jury. Judge Gear asked him what the definition of reasonable was and he replied that he did not know. On this showing, the Judge excused Mr. Isaacs.

J. C. Quinn was opposed to capital punishment.

"What State do you come from?" "Iowa."

"What?" "I didn't say Ireland, Mr. Prosser, I said Iowa."

"You're excused," said the Judge.

C. J. Ludwigen had no scruples against the death penalty. He was passed for cause by the defense. The prosecution waived its right to challenge.

The defense challenged Mr. Naukana.

W. H. Babbitt was called. He was opposed to capital punishment. He was challenged by the prosecution and excused.

Frank E. Blake, who, in another murder case, had "read up" on the same in order to get excused from jury duty, was excused.

"You have read of this case in the newspapers?"

"Very sparingly," was the reply, amid general laughter. He said he was not opposed to capital punishment. He was passed for cause by both sides.

The defense waived its next two challenges.

The prosecution excused Mr. Paulo.

Mr. Barnes was called. He was not sure that he could give Miranda a fair trial, although he had a strong impression against the defendant.

"Of course, Mr. Barnes you know that the newspapers make mistakes, grievous mistakes," said Mr. Davis.

The defense submitted a challenge, which was denied by the prosecution.

Mr. Prosser asked Chief Justice Marshall in point as to the impression Mr. Barnes had formed on the occasion of a lengthy debate on the question of what Mr. Barnes meant to imply by the "impression" he had formed in reading the newspapers.

The court ruled in favor of the defense and excused the juror.

E. G. Carrera was called. He had no scruples against the death penalty. He had a strong impression in the case, feeling that as Miranda was the prisoner, he was the guilty party. Mr. Carrera was challenged and excused.

R. F. Vickers was called. He had no

scruples against the infliction of the death penalty.

"Were you down town the night of the murder," asked Mr. Thompson.

"Yes, I was down town where I met Mr. Taylor here and he told me that Mr. Damon had been stabbed."

The juror was passed.

The jury was then pronounced satisfactory to both sides and the twelve men were sworn by Clerk Sims.

Judge Gear said he was perfectly willing to go on with a night session. The Attorney General said he was not ready, having sent his witnesses away as it was then 5:30.

The Judge cautioned the jury not to converse with any one. They were not to separate, and no individual could leave the others without being in charge of a bailiff.

Bailiff Ellis took charge of the jury and escorted that body to the Hawaiian Hotel where a cottage has been set apart for the twelve men.

"I can't see why we cannot go on with this case tonight," said George Davis.

"There's a good many things you can't see, Mr. Davis," rejoined the court. This case will be adjourned to 9:30 o'clock this morning.

BOYD CASE CONTINUED.

In the case of the Territory vs. E. S. Boyd, embezzlement, set for hearing yesterday in Judge Robinson's court, Attorney Chillingworth appeared for defendant but on request of the Attorney General the case was continued until the conclusion of the Miranda murder case. The jurors were excused until today.

MRS. TURK LOSES.

Frank J. Turk yesterday was awarded a decision by Judge Robinson in his action against Estrella Turk, his former wife. This gives him the custody of a horse, buggy and harness.

The Judge said that although in reason he felt Mrs. Turk should have the property, yet he had to abide by the statute.

JUDGE DE BOLT'S CASES.

Judge De Bolt will call the balance of the civil cases on his calendar on Friday morning, October 7 at 9 a. m.

A LITTLE LOVE-FEAST.

While waiting for the prisoner to appear in the Damon murder case yesterday afternoon in Judge Gear's court it was suggested to Attorney General Andrews that perhaps the prisoner had escaped. Chester Doyle, who was sitting nearby ventured the opinion that he was being registered.

The wait also brought out an incident which caused widespread interest. Both Attorney General Andrews and George A. Davis were discovered joking together as if they were bosom friends.

SHOULD CHAIN STREETS.

There seems a need for chaining up Mililani street between King and Queen streets during sessions of court under Judges Gear and De Bolt. When wagons pass by, witnesses' testimony is drowned out and a serious interruption to the progress of cases occurs. During court sessions in New Orleans, the streets surrounding the court house are chained in.

PUNA ACQUIESCES.

In the case of the First National Bank vs. Puna Sugar Company, et al., the defendant company has filed its answer consenting to an order or decree, as well as the appointing of a receiver of all the property mentioned in the deed of trust.

The B. F. Dillingham Co. makes identical answer. It further states that it does not claim or pretend to have any right, title or interest in the deed of trust or in and to the moneys due thereon.

EMMELUTH WANTS DAMAGES.

The amended complaint of plaintiff in the case of John Emmeluth vs. Mary E. Forster was filed yesterday. It is complained that the defendant has unjustly taken into her exclusive possession and converted to her use certain real property as follows: The share of Opu (k) in the Huiakua of Kahana in Koolauloa, Oahu. Plaintiff claims to own in fee simple one undivided one-half of the aforesaid property, and therefore claims damages in the sum of \$250.

WHEN THE BAILIFF
TOOK THE JURY

When Judge Gear had sworn in the Damon murder jury last evening and announced that the jurors would be held in the custody of the bailiff and would not be permitted to separate, but would pass the night at the Hawaiian Hotel, there was consternation in the box. They began bobbing up and beckoning to the judge to ask favors.

"Judge, I was drawn for this jury about 2 o'clock and made no arrangements about my business," said one. "I would like to go home and get a bath and bring down some fresh linen."

"That's all right," returned the Judge, "we'll give you a bath at the hotel free of charge and send a bailiff to your house for your clothes."

"Your honor, I would like to go to my office and explain a few things to my bookkeeper," said another. "I've got to do it."

"Well, we'll send the bookkeeper to the hotel to see you," answered the Judge.

"I'd like to go home to see my wife," was another's plea. "She doesn't like to have me stay out at nights and I would like to tell her in advance why I won't be home tonight." And so on.

CHAMBERLAIN'S COUGH REMEDY CURES COLDS.

This remedy acts on nature's plan, allays the cough, relieves the lungs, aids expectoration, opens the secretions, and aids nature in restoring the system to a healthy condition. It is famous for its cures over a large part of the civilized world. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

A benefit dance will be given by the Atkinson Boat Crew Saturday night, October 8th, at Odd Fellows' Hall, beginning at 7:30 p. m. The Solomon Quartette Club will furnish the music for the dancing during the evening. The patronesses will be Mrs. C. S. Holloway, Mrs. E. A. Jacobson and Mrs. E. W. Jordan.

MIRANDA MURDER TRIAL IS NEARING CONCLUSION

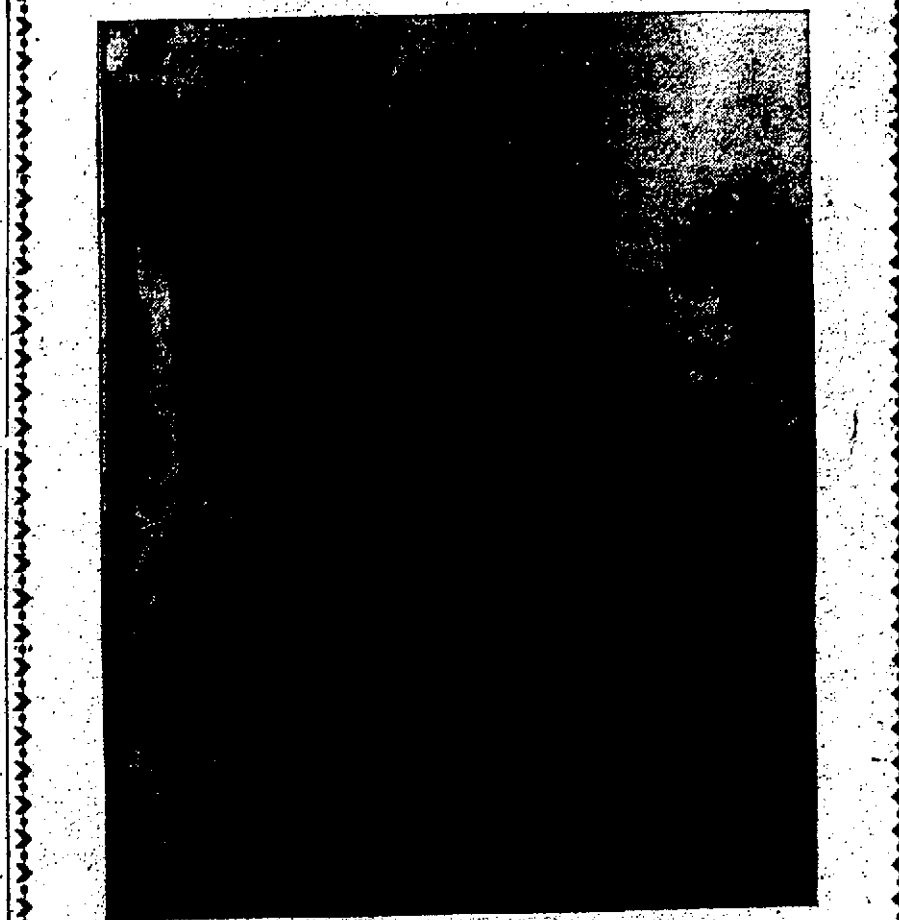


Photo by H. P. Roth.
JOSE MIRANDA, THE PORTO RICAN WHO IS
BEING TRIED IN JUDGE GEAR'S COURT FOR
THE MURDER OF S. EDWARD DAMON.

Only One More Witness to Be Called by the Prosecution—Story of the Tragedy as Told by Witnesses.

(From Thursday's Advertiser.)

Despite many arguments on the admissibility of evidence, in the course of which the jury would be excused from the courtroom, the trial of Jose Miranda for the murder of Samuel Edward Damon made good progress yesterday. Prospects are good for a conclusion of the trial today.

The prosecution has but one more witness to call. This is the woman, Marie Antonia Collona, who was with Miranda and "the blind boy," Chito, when Damon was stabbed. An interesting coincidence in respect to this woman is that George A. Davis, first counsel for Miranda assigned by the court, when a Circuit Judge sentenced her to a year's imprisonment for some offense.

Some evidence offered was ruled out on the questions and other evidence struck out on motion of the defense after the answers had been recorded. Messrs. Davis and Thompson were both alert in seizing upon every legal objection they could raise from the books to intercept points attempted to be made by the prosecution.

RESUME OF PROCEEDINGS.

Attorney General Lorrin Andrews, who is assisted by his Deputy, M. F. Prosser, opened the Territory's case to the jury at 10 o'clock, first reading the indictment and then narrating the circumstances of the crime that would be endeavored to be brought home to the defendant at the bar.

Olaf Sorenson of the Survey Department, the first witness called, identified the map he had made of part of the Ewa road showing marked different points to be referred to by witnesses.

Dr. James R. Judd testified regarding the fatal wound in Damon's body. The instrument had pierced through the abdomen to the lumbar muscles, reaching to within two inches of the surface in the victim's back. Witness identified the white shirt that with trousers formed Damon's apparel when he was carried to the Queen's Hospital. He showed the rent the dagger had made, as the garment dyed with blood was exhibited to the jury.

High Sheriff A. M. Brown was called and asked if it was his duty to appoint special police officers. Counsel for the defense having requested a statement of the object in view, Mr. Andrews stated that it was the purpose of the prosecution to show that Damon was a special police officer at the time he remonstrated with the Porto Rican for removing a lantern from the roadside.

Counsel for the defense objected that the indictment did not charge Miranda with killing a police officer, hence evidence to show that a police officer was killed in the performance of duty would be unfair to the defendant.

The witness was withdrawn.

Eugene P. Sullivan was next called. That evening about 6:30 he and T. Ozawa took a walk in the direction of Moanalua until they reached the bridge, when they started back in the direction of Honolulu. Two Chinese passed them where a red lantern on a stick was placed upon a pile of dirt in the road. Later a rig passed going toward Honolulu. There were three persons in a buggy. Witness and Ozawa turned and witness entered a Chinese store to get a light for his cigar. The two proceeded to the crest of the hill, when witness saw some persons take the red light and walk away with it in the direction of

Honolulu. They were in front of witness.

As they continued walking, they saw a buggy coming from Honolulu way. When the buggy met the persons having the lantern, words were heard as of argument. At first the talk was in Hawaiian. One of the three with the lantern was a man in a white coat and another a good-sized woman. The lantern had been thrown into the middle of the road.

Damon stopped his buggy on the makai side of the road and was seen by witness going to the middle of the road from behind the buggy. As witness and Ozawa approached the scene of argument, witness heard the man in the white coat sing out: "What do you want?"

"That's my lantern, damn you, and I want you to put it back," was Damon's answer.

The Porto Rican then made a rush at Damon and struck him low with an under-swing of his arm, which witness on the stand illustrated. Damon retreated toward his buggy, where he responded to his name when addressed by witness. Witness asked what the matter was, as he went toward the Porto Rican. Damon answered that he was cut and when Sullivan repeated



THE LATE S. E. DAMON.

ed the question to the Porto Rican the latter said:

"You better keep away from me."

Witness went back to Damon, who answered further questioning by saying he was hurt "awfully bad." Damon said something about "doctor," witness could not remember just what.

Witness got the Chinaman who had been with Damon in the buggy to get out of the front seat and take the back of the buggy. Then he got Damon into the buggy and put his right arm around him, driving with his left as quickly as possible for Honolulu.

Damon was wobbling directly after the start. Witness stopped at the Kalihl saloon and shouted that Eddie Damon was badly cut, and that two men and a woman who had done it were at the foot of the hill, telling the folks in the saloon to ring up the police to have a doctor ready. He drove Damon to the police station and that was the last he saw of him.

Cross-examined, Sullivan said that as Damon and the Porto Rican came together, Damon's right hand was extended at a level with the Porto Rican's head. He could not say whether or not Damon's hand came in

contact with either the head or shoulder of the Porto Rican. The movement he made was like the gesture of a command.

To jurors taking a hand in cross-examination, Sullivan said the Porto Rican came at Damon with a rush. He could not tell whether Damon's hand was open or closed. It was very dark and the whole trouble might have been not more than two minutes, or even one minute.

Counsel for the defense objected strongly to certain questions by jurors, Mr. Davis concluding one of his protests by exclaiming, "That's the limit."

Judge Gear allowed some of the questions, however, and as to others not strictly admissible from the jury took the undisputed authority of the court to put the questions.

T. Ozawa, called, gave practically the same story as Sullivan's. One exception was that he had not caught the words between Damon and the Porto Rican. At the time of the final dispute, witness was engaged in holding back his dog. Mr. Davis made repeated attempts to get the witness to say that there was a quarrel, but the furthest Ozawa would go was to say that there was talk in loud tones. He refused to say even that the parties were talking angrily. Ozawa was dismissed at 12:45, when recess was taken until 2 p. m.

Detective McDuffie was called after recess. There was a long wrangle, after he identified the dagger as that which he had found about 100 feet from the scene of the stabbing, over the admissibility of his evidence of Miranda's admission to him in Oahu Prison, voluntarily, that the dagger belonged to him. Judge Gear finally admitted the evidence. Evidence of a robbery committed by Miranda, for which the police were seeking his arrest all day before the murder, was after a strenuous argument, ordered stricken out.

The Chinese driver for Damon, Deputy Sheriff Chillingworth and Chito were called and examined. "The blind boy," Chito, testified of orders given by Miranda the day of the murder to carry stones with which to hit any Chinaman whom they might meet. This under objection was ordered stricken out.

The woman Collona, as last witness for the prosecution, will be called this morning.

BOYD'S TRIAL DEFERRED.

Judge Robinson yesterday continued the trial of E. S. Boyd for embezzling public money while Commissioner of Public Lands, at the request of the Attorney General, until after the conclusion of the Miranda murder trial before Judge Gear. S. F. Chillingworth, attorney for defendant, entered objections to continuance.

CIVIL JURY SHORT.

Kwong Lee Yuen Co. vs. Alliance Insurance Co. came up for trial before Judge De Bolt yesterday. The jury panel became exhausted and a special venire with 26 names was issued, returnable at 10 o'clock this morning.

Baliou & Marx for plaintiff; L. A. Thurston and Robertson & Wilder for defendant.

FORECLOSURE APPEAL.

W. C. Achi and W. R. Castle by Castle & Withington, their attorneys, and Kapilani Estate, Ltd., by C. W. Ashford, its attorney, in the case of H. Hackfeld Co., Ltd., vs. W. C. Achi and others, have appealed to the Supreme Court from the order of Judge Robinson providing that the sale of the property under foreclosure shall proceed, notwithstanding the appeal of these defendants from the decree, unless these defendants shall give security in the sum of \$2000.

COURT NOTES.

Olaa Sugar Co., Ltd., by its president, L. A. Thurston, answers the bill of First National Bank of Hawaii et al. vs. Puna Sugar Co., Ltd., et al., saying that, without confessing all of the allegations, this defendant consents to a decree appointing a receiver of the property mentioned in the deed of trust.

Judge De Bolt yesterday overruled the demurrer of defendants in the suit of J. H. Schnack vs. Mary J. Montano and husband, an action to recover a real estate agent's commission.

Robert John Cochran answers the libel in divorce of Corha Eliza Cochran, denying all statements given as cause for divorce.

Judge Robinson approved the accounts and granted the discharge of Virginia Gomes, executrix of the will of Francisco Gomes Capicha.

OFFICIAL DINNER TO
SUPREME JUSTICES

Chief Justice Walter F. Frear has issued invitations to an official dinner to be given on Monday evening next at the Alexander Young Hotel, complimentary to Supreme Court Justices Hartwell and Hatch.

Stabbing Affrays.

Two stabbing affrays have made life strenuous at the little village of Waianae during the past few days. Last Saturday afternoon one Look Hong stabbed a fellow Chinaman by the name of Young Hoon in the neck at the Chinese camp. When arrested he claimed that Young Hoon had tried to poison him. Tuesday evening a Japanese by the name of Yoshita was stabbed by a fellow countryman, who had not been apprehended last night. The victim was wounded in the abdomen and was brought to this city.

A MILLIONAIRE'S WHIM.

In the office of William Waldorf Astor on the Thames embankment stands a steel desk, one of the curiosities of which is the petty cash drawer, always filled with sovereigns. Mr. Astor, it is said, likes to feel that he is always in command of sufficient ready cash to buy anything that may happen to catch his eye, and thus from the couple of thousand pounds in his drawer he takes handfuls of gold just as necessity may require.

THE LATEST NOMINATION

Election Supplies Provided at Home This Year.

In addition to those previously reported, the following nominations for the Legislature have been filed in the office of A. L. C. Atkinson, Secretary of the Territory.

SENATORS.

First Senatorial District—John T. Brown, J. B. Kaohi, O. T. Shipman, J. F. Woods.

Second Senatorial District—A. N. Hayselden, S. E. Kalama, William White.

Third Senatorial District—J. M. Dowsett.

Fourth Senatorial District—J. K. Gandall, L. Nakapahu.

REPRESENTATIVES.

First Representative District—David Ewaliko, A. Fernandez, Wm. L. Keolani, M. Kekino, Jas. D. Lewis, T. N. Nalelehu, W. H. Shipman, Carl S. Smith, Henry West.

Second Representative District—H. M. Kanlio, J. W. Keilikoa, Chas. Ka. Keauhou, S. Lazaro, Chas. H. Pulaa.

Third Representative District—W. J. Coelho, George Copp, W. P. Haia, C. L. Kookoo, D. H. Kahaulelo, John Kallino, Moses K. Nakuna, Philip Pail.

Fifth Representative District—A. S. Kalelopu.

Sixth Representative District—G. W. Mahikoa, Chas. A. Rice.

ELECTION SUPPLIES.

At the general election two years ago the inspectors were furnished with packages of assorted supplies put up by a San Francisco house. They were a great improvement on the old makeshifts of commercial blank books, corporation tally sheets, etc. Then Secretary Carter procured the supplies on samples enterprisingly furnished by the Coast house, because nothing of the kind had been known here before.

Secretary Atkinson this year placed orders for all of the supplies with local printing and stationery houses, obtaining outfits for the polls every whit equal to the imported article.

The assortment to be sent to each board of inspectors includes books for voters' lists, tally sheets ruled to give as many as 750 votes to a candidate, linen bags with printed address for forwarding returns to the secretary, telescope envelopes and boxes containing pens, pencils, sealing wax, twine, etc. The more difficult work, such as making the telescope envelopes, was performed by the Hawaiian Gazette Co.

KAUAI G. O. P.'S
ENDORSE CARTER

The Kauai Republicans in adopting their platform last week, heartily endorsed the Carter administration. The platform reads as follows:

"The Republican party of Kauai convention assembled this first day October, 1904, renews its allegiance the principles and traditions of the public party of the nation and endorses the sentiments expressed in Republican territorial platform adopted by the Territorial Convention at Honolulu, on the first of September, 1904."

"We particularly endorse the conservative and economic policy of our governor, George R. Carter, at a time when the financial condition of the Territory was seriously crippled, and we consider the territory and the Republican party should congratulate itself that it has at this time a Republican Governor of wisdom and executive ability."

"We also endorse the Territorial platform wherein the support of the party is pledged to the re-election of Delegate Kalaniana'ole, and we hereby express our appreciation to our Delegate for the benefits we have received in the way of federal favor through his efforts."

"Kauai being solely a farming community, we believe in the disposal of unoccupied public lands to bona fide settlers upon most favorable terms, but we do not endorse any policy that would in any manner jeopardize the chief industry of this island from which all citizens of Kauai, either directly or indirectly derive their living and the country its revenue, and we believe the farmer at home, who has made the country what it now is, should be given fully as much consideration as the unknown and untired farmer from abroad."

"We particularly charge our senators and representatives to give their undivided time and attention to the deliberations of the Legislature while it is in session not only to prevent unwise and extravagant legislation for the Territory as a whole, but also to see that Kauai is given its rightful proportionate share of the appropriations for the repair and improvement of our schools, court houses, jails, roads, etc., many of which are in a disgraceful condition."

"We believe in the establishment of County Government, not because it may be the most economical policy in theory for the Territory, but because we believe that County Government alone will free Kauai from taxation without proper compensation, and assure its rightful participation in needed appropriation. A centralized form of government should be more economical but the financial condition of the Territory of late is the strongest argument that we can advance to show that the theory of centralized government has not benefited Kauai in the past, either through failure of the system or those directing it."

WRIGHT GOES TO PRISON

Supreme Court Upholds Trial Court.

(From Wednesday's Advertiser.)

B. H. Wright, former chief clerk in the Public Works Department under the regime of Superintendent James H. Boyd, convicted of embezzlement of public funds in the Circuit Court a year and a half ago and sentenced to imprisonment for three years, had all his hopes of liberty crushed yesterday when the Supreme Court filed a lengthy opinion in the case, sustaining the verdict of the trial court. All of Wright's exceptions were overruled and the case remanded to the Circuit Court to have the sentence carried out.

The former public officer was immediately arrested and will shortly at once begin to serve out his term which was imposed by Judge De Boit.

The B. H. Wright case is the first one of the public funds embezzlement matters, in which the defendant has finally been lodged in prison. James H. Boyd escaped the penalty on technicalities and W. H. Wright, the former treasurer, is now a fugitive of justice. To J. W. Cathcart, former Deputy Attorney General, is largely due the conviction of B. H. Wright, as it was he who conducted the case in the trial court.

The substance of the decision, which is the unanimous opinion of the Supreme Court, is as follows:

"The defendant was appointed by the Superintendent of Public Works as chief clerk of the Department of Public Works and clerk of the market, his duties as such clerk being prescribed by the Superintendent, amongst them being the charge of public money received at the department, the salary for his office being appropriated by the legislature, but no statute specifically authorized his appointment or placed him in charge of public money; held that the defendant was within the class of persons designated in section 158, P. L., viz.: 'Whoever, being a collector, cashier, clerk or other person employed in the Government Treasury, or in any other department of the Government, is guilty of embezzlement of any money, note, or other effects or property belonging to the Government.'"

"Defendants' receipt of \$3,289.53 as chief clerk of the department of Public Works, receipted for by him as such clerk, his failure on demand to account for the money, offer to give his check for it, asking that the matter be kept quiet, his failure, when asked, to say what he had done with the money, and his concealment of it, not making any deposit of it in the official safe in the office, and failing to pay it into the treasury, constitute in law the offense of embezzlement as defined in Sec. 157, P. L."

"The foregoing acts and conduct of the defendant are evidence of his fraudulent conversion or disposition of money to his own use and benefit, and he is entitled to another than the owner or person entitled thereto."

"The receipt of the prosecution testimony that the Acting Superintendent of Public Works told the defendant he suspended him. The objection made by the defendant to the evidence is that 'conversations could not be shown until proof of embezzlement of some specific sum' did not sufficiently raise the question as to the relevancy of the evidence of the suspension of the defendant."

"A stub book of receipts, cash receipts, and auxiliary cash book kept by clerks in the Department of Public Works under the defendant's supervision were admissible in evidence to show the method of transacting business in the office and that no entry was made in those books of the receipts of the money alleged to have been embezzled, the audit act of 1898 not requiring that the Auditor General establish a uniform system of keeping public accounts, the absence of evidence that he had done so does not take from those books their character as public records."

"Refusal of the court to allow a witness to the defendant's signature to a receipt for money to be asked on cross-examination whether he had compared the writing with other writings of defendant held not to be prejudicial error, the defendant having substantially admitted the receipt of the money."

B. H. Wright's case was the first of a long and sensational series of embezzlement cases in the Public Works Department and Treasury Department. He was arrested in August, 1902, in the absence of Superintendent Boyd who was in San Francisco and had left the department in charge of Treasurer W. H. Wright. The latter suspended B. H. Wright and took the steps which brought about the arrest, shortly before W. H. Wright himself shipped \$18,000 short in his own department. There were two counts in the charges against B. H. Wright, the first alleging the embezzlement of \$3,289.53, in the form of a check paid to him for the department by the Hawaiian Electric Company, and the second alleging the embezzlement of \$4,882.10. The conviction was on the first charge. The trial took place at the February term 1903, and the appeal has been pending ever since. J. W. Cathcart as Deputy Attorney General prosecuted the case and J. J. Dunne and George A. Davis defended. As the case went to the Supreme Court Attorney General Andrews and Cathcart & Milverton appeared for the prosecution and J. J. Dunne, Geo. A. Davis and Smith & Law's were

for the defence. With this array of counsel the case was elaborately presented, both by oral argument and briefs, in the Supreme Court on August 4 last. The decision today was a unanimous one.

The decision is in part as follows: "We can not concede the validity of the defendant's contention based on the claim that his employment as chief clerk of the Department of Public Works and of the market was not authorized by law, and that no law authorized the entrusting him with the public money in question. The evidence shows that at the time of his alleged embezzlement he was employed in the alleged capacity, receiving his appointment from the superintendent, the legislature having made an appropriation for salary of chief clerk and clerk of the market, in its appropriations for the Department of Public Works."

"The case above cited sustains our view that it was not requisite that in order to charge the defendant as a clerk or other person employed in the Department of Public Works, his custody of public money as such clerk should be expressly authorized by statute."

"There is no requirement of statute that the appointment to receive public money shall be explicitly provided for or authorized by statute. The use in the section of the act above quoted of the words 'by any law, regulation or appointment,' implies that the regulation or appointment is something distinct from an appointment authorized by statute. The evidence that the Superintendent placed the defendant in charge of the public money in the office is equivalent to appointing him to do so."

"The defendant's counsel strenuously contended that the evidence does not sustain or justify the verdict or show that the defendant received the money and fraudulently converted it to his own use."

"The evidence justifies findings as follows: That on August 16, 1902, the defendant, while employed as chief clerk of the Department of Public Works and of the market, and by virtue of that employment and in no other capacity had possession by the consent or authority of the Territory of the sum of \$3,289.53 belonging to the Territory, being money received by him on a check of the Hawaiian Electric Company, Limited, drawn on the Bank of Hawaii in favor of the Department of Public Works, which check he that day cashed. That on September 9, 1902, at the office of the Superintendent of Public Works, in the presence of Attorney General E. P. Dole, High Sheriff Brown, Acting Superintendent and Treasurer William H. Wright, Deputy Auditor Meyers, and Siemsen and Cook, clerks in the Department of Public Works, the defendant, being requested to open the combination safe in the office, after trying to open it, said he had forgotten the combination, ran to the telephone and rang up his attorney, Long, who soon after came, when the defendant opened the safe, and also unlocked and opened the inner drawer of the safe containing money. The Deputy Auditor counted the money in the defendant's presence and announced that there was \$3,282.10 short in the accounts of the Public Works office; that at that time the check above mentioned was shown to the Deputy Auditor and then to the defendant, who asked the Deputy Auditor what it all amounted to, and being told that it was \$3,541.63, and asked whether it was right, said that it was about it. The defendant then said he would give his check for that amount. Dole asked him 'Will the check be paid?' He said he would require four days to raise the amount, and requested that the matter be kept quiet. To the question asked by the Attorney General, 'And what did you do with the money?' the defendant, upon the instruction of his attorney, made no answer."

"The defendant's receipt of the said sum of \$3,289.53 in his capacity as chief clerk of the Department of Public Works, which was receipted for by him as chief clerk, his failure when called upon to do so to account for that money, his offer to give his check for that money, and for other public money admitted by him as a part of the shortage in the accounts of the Public Works office, his failure, when asked, to say what he had done with the money, and his concealment of the money and his request that the matter be kept quiet constitute in law the offense of embezzlement as defined by the statute. It is true that the defendant's fraudulent converting or disposing of this money to his own use and benefit or to the use and benefit of another than the owner or the person thereto entitled is not to be inferred from his having received the money and failed to pay it over to the Territorial treasurer, but the case shows more than a mere shortage of accounts; it shows that the defendant concealed the fact that he had received this money, and also concealed the money, the concealment consisting in his either retaining it or placing it in some place which he declined when requested to mention, in not paying it into the treasury from the date of its receipt by him on August 16 until September 9 or at all nor keeping it in the official safe in which it was usual to deposit such money. Not only the defendant did not account for the money when required to do so, or pay it to the person thereto entitled, namely, the Treasurer, but after admitting its receipt, when asked what he had done with it, he would not say. The money being traced to his possession, was as effectually converted or disposed of by him to his own use and benefit, or to the use and benefit of some other than the person thereto entitled by his retaining it and when called upon to account for it by failure to produce it or to tell where it was as if he had expended or invested the money, given it away or shared it with others."

"As to the defendant having intended fraudulently to convert or dispose of the money to his own use, 'Every one shall be presumed to intend the natural and plainly probable consequences of his own act.'"

"We are of the opinion that the evidence justified a finding that the defendant received the money on the Hawaiian Electric Company's check and fraudulently converted or disposed of it to his own use and benefit or to the use and benefit of another than the Territory of Hawaii."

B. H. Wright was taken to Oahu Prison at 2:30 yesterday afternoon, and will henceforth remain in the custody of Warden Henry. The mittimus will probably be sent to the prison today by the terms of his sentence Wright will be put to hard labor. The character of this labor will depend upon the physical condition. He will don the striped uniform today.

APOPLECTIC SEIZURE

Miss Chamberlain Is Suddenly Stricken Down.

(From Wednesday's Advertiser.)

While leading a meeting of the Woman's Board at the Central Union church at three o'clock yesterday afternoon Miss Martha Chamberlain, one of the best known women in this city, was suddenly stricken by apoplexy. Miss Chamberlain opened the meeting and then read a chapter of Scripture. Toward the end of the reading it was noticed that Miss Chamberlain's voice was a little husky. During the reading of the constitution which followed she dropped her fan several times and then fell forward in her chair. Several ladies and a gentleman who happened to be present went to her at once, and she was placed on a sofa and a physician summoned. It was then thought that she was simply overcome by the heat.

When Dr. Waterhouse arrived he found that the entire right side of the body was paralyzed and announced that the cause was a blood clot on the left side of the brain. After stimulants had been administered, a hurry call was sent for the patrol wagon and Miss Chamberlain was conveyed to Miss Johnson's Sanitarium. When she arrived at the hospital the patient seemed to be conscious but had lost the power of speech. While the stroke is serious it is probable that Miss Chamberlain will recover although it may be some time before she can talk.

Miss Chamberlain is a member of one of the old missionary families and has lived in Honolulu all her life. She attended Mt. Holyoke Seminary (now College) graduating in the class of 1893 and returning to the islands via Cape Horn in the sailing ship Waverly. Last year she returned to her Alma Mater to attend the fiftieth anniversary of her class. She has been interested in missionary work all her life and has been a prominent worker on the Woman's Board.

LATER—At midnight Miss Chamberlain's condition was unchanged. She was resting quietly. Inquiry at the sanitarium resulted in the information that the doctor had made no definite statement as to the probable outcome since his examination.

ATKINSON SAYS PLENTY LABORERS

Secretary Atkinson says that, despite the futile efforts of contractors to procure citizen laborers, there are enough citizen laborers in the islands to supply all demands. He states that contractors are "merely making a bluff" at getting citizen labor. "They can get all they want," said he yesterday, "if they will pay a fair price. It will probably cost them more than Japanese labor, but that has nothing to do with the question."

The Secretary states that in a Maui valley he asked a crowd of Hawaiians if they were willing to work for a dollar a day, and thirty men stepped forward.

At the same time Wilson and Duggan, contractors for a government road on Maui are still unable to get citizen labor.

MAUI NINE MAY PLAY GAME HERE

Manager Crook of the Malle baseball team is making an effort to have the Maui baseball nine come to Honolulu on October 21 and play a game the next afternoon at the League park with the Malle team.

The Maui players are exceedingly anxious to play a game in this city, having already defeated the Kamehameha and the Punahou nines on Maui soil. The Maui players are good batsmen, excellent fielders and their pitcher is a man who is on to all the curves necessary to befuddle the Honolulu players.

Offer a Banner.

A fine silk banner will be awarded by the Republican Central Committee to the precinct club polling the largest number of Republican votes in comparison with its registered voters.

ANHEUSER-BUSCH'S MANAGER CURED OF A HEAVY COLD.

Mr. Albert E. Stasney, manager Anheuser-Busch Brewing Association, Cape Town, Africa, says: "During my trip in the Transvaal I contracted a severe cold, and am pleased to state that in Chamberlain's Cough Remedy I found prompt relief and after continuing it for a few days was entirely rid of the distressing indisposition." For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

lently converted or disposed of it to his own use and benefit or to the use and benefit of another than the Territory of Hawaii."

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MORNING TRAGEDY

W. F. Love Takes His Life While Insane.

(From Thursday's Advertiser.)

William Francis Love, a well known citizen of Honolulu committed suicide at the house of Mrs. Laura Mahelona on Ema lane at about seven o'clock yesterday morning. Love was the secretary and a large shareholder in the Manufacturer's Shoe Company of this city. Tuesday afternoon he gave the key of the store to B. Sammons, the bookkeeper, and instructed him to open the store in the morning, remarking that W. H. Smith, the manager would return from the Coast on the Sonoma. He then went to Woods & Sheldon's sporting goods store and bought a Smith & Wesson 32 caliber revolver and a box of cartridges, saying that they were for a friend but having them charged in his own name.

From Woods & Sheldon's he went to the Union Saloon but soon returned to



THE LATE WM. F. LOVE.

the sporting goods store and got his package. He was about town all evening but did not appear to have been drinking much. Mrs. Mahelona, his landlady, says that he was very restless and went away from the house three times during the evening. He did not return finally until half past two in the morning. During the last trip from the house he called at the police station for a drink of water at about 1:30 a. m. and on being asked by Clerk Jack Kalakela whether he was not afraid of Porto Ricans he responded that he had something in his pocket that would fix them.

When Mrs. Mahelona was entering the house from the yard at seven o'clock yesterday morning she heard a shot and rushing upstairs found Love on a couch with the blood flowing from

MOTHERS

should know. The troubles with multitudes of girls is a want of proper nourishment and enough of it. Now-a-days they call this condition by the learned name of Anemia. But words change no facts. There are thousands of girls of this kind anywhere between childhood and young ladyhood. Disease finds most of its victims among them. Some of them are passing through the mysterious changes which lead up to maturity and need especial watchfulness and care. Alas, how many break down at this critical period; the story of such losses is the saddest in the history of home. The proper treatment might have saved most of these household treasures, if the mothers had only known of WAMPOLE'S PREPARATION and given it to their daughters, they would have grown to be strong and healthy women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Anemia, Scrofula, Rickets, and Bone and Blood diseases, nothing equals it; its tonic qualities are of the highest order. A Medical Institution says: "We have used your preparation in treating children for coughs, colds and inflammation; its application has never failed us in any case, even the most aggravated bordering on pneumonia." The more it is used the less will be the ravages of disease from infancy to old age. It is both a food and a medicine,—modern, scientific, effective from the first dose, and never deceives or disappoints. "There is no doubt about it." Sold by all chemists here and throughout the world.

a hole in his breast. She says that he was just putting the revolver on the floor when she entered the room and that he beckoned to her. Inside of three minutes he was dead. Dr. Pratt was summoned when the fatal shot was fired but he could do nothing for the unfortunate man.

A coroner's jury was summoned by Deputy Sheriff Chillingworth and after examining several witnesses they came to a verdict of suicide while temporarily insane. The motive for the action is a profound mystery. Love was not embarrassed financially as he held \$3000 worth of stock in the shoe company and had uncashed dividend checks to the amount of nearly \$400. It was impossible for him to have tampered with the funds of the concern and they are all accounted for. The stock he left in an envelope endorsed to his brother-in-law, J. F. Morgan. It is thought that ill health caused despondency and while mentally deranged Love killed himself.

Love was born in California on the 14th of July, 1884. He came to the islands early in life and has spent most of his time here. He has been employed by W. O. Smith, David McKinley and by J. F. Morgan. He was a Mason and one of the charter members of the Myrtle Boat Club. He was well liked in the city. The funeral services were held from the Masonic Temple at four o'clock yesterday afternoon under the auspices of Hawaiian Lodge, A. Lewis, Jr., the master, presided. Among the pall-bearers were A. G. M. Robertson, Captain Campbell, Joe Little, T. Y. King, L. H. Miranda, Captain Sanders and B. Sammons. Interment was in Nuanu cemetery.

PASSING POLITICS

The withdrawal of Shaw from the Fifth district Republican representative ticket has paved the way for Mahelona to take a similar step. His withdrawal is desired as much as that of Shaw was, and if he does not take the initiative before the meeting of the District Committee to be held tonight, it is possible that body will take action.

Chairman Vida of the Fifth district executive committee stated yesterday afternoon that he believed Mahelona would endeavor to remain on the ticket and would issue a letter over his own signature to the voters, stating his reasons for remaining in the campaign. The names of Fred Waterhouse and K. R. G. Wallace have been suggested to be presented to the district committee meeting tomorrow night as the successors to Shaw and Mahelona.

MAHELONA SAYS HE WILL BE GOOD

Sol Mahelona, one of the candidates on the Fifth District Republican ticket, decided yesterday to stay on the ticket regardless of the endeavors to get him off. He addressed a letter to Chairman Vida of the Fifth District Committee promising to be good and to work against the introduction of gambling laws in the lower House, if elected. His letter was as follows:

Honolulu, T. H., Oct. 5, 1904.

Hon. Henry C. Vida, Chairman Fifth District Republican Executive Committee, Honolulu, T. H.

Dear Sir: I have been accused of favoring a change in our laws whereby all restrictions against gambling may be removed, and this accusation has been used as an argument against voting the straight ticket.

This charge has no foundation. I am unalterably opposed to any law which may be proposed making any change in our present law against gambling. If elected to the next Legislature I pledge myself to work and vote against any measure that may be introduced therein allowing gambling in any manner, shape or form.

If you will make my position in this matter public, you will do me a kindness and you will strengthen the party.

Very respectfully yours,
S. MAHELONA,
Republican Candidate for Representative Fifth District

ASTONISHES THE GARDEN ISLE

A. G. M. Robertson says that Republicans should stand by the party even though the party employs improper methods.

Think of such a proposition advanced to an aggregation of voters who deem themselves decent Americans. It is useless to discuss such a contention, its serious consideration even is insulting to men who consider themselves worthy the right to vote. A goodly number of men who are decent Republicans will cast their votes as regularly as clockwork against the Republican party once they become convinced it employs "improper methods," and individual candidates who employ "improper" methods will most assuredly be cut by decent Republican voters—Garden Island.

Kuhio Went to Kauai.

Delegate Kuhio accompanied by Judge Mahaulu and D. Kakaokalani, Jr., departed yesterday in the steamer W. G. Hall for Kauai, to stump the Garden Island for the remainder of the week. Laukea and Sam Kalon went on the same steamer to stump the island for the Democrats.

W. B. Thomas is now at Avalon, California.

HIS DEPOSIT IN EVIDENCE

Nakapaahu Takes Home Rule Nomination Straight.

L. Nakapaahu has violated the pledge he deliberately gave to the Republican convention on Kauai, by accepting the nomination for Senator offered to him by the Home Rulers. As reported in the Garden Island newspaper, Mr. Nakapaahu declared at the convention that, if he was defeated there, he would remain loyal to the Republican party and work for it all the more.

Mr. Nakapaahu has burned the bridges behind him in appearing as a candidate, by furnishing documentary evidence that the filing of his nomination in the office of the Secretary of Hawaii was not done without his knowledge by either Mr. Kalaokalani or anybody else. The evidence is a Gay & Robinson check deposited as his nomination fee, which is endorsed by L. Nakapaahu.

Governor Carter expressed himself yesterday as much disappointed in Nakapaahu, having thought that he would act like Shaw in the Fourth Representative District, who had sunk his personal ambition for the good of the Republican party.

Following is the Garden Island's report of Mr. Nakapaahu's speech at the Republican convention at Lihue on Saturday last:

"At 1:30 p. m. chairman W. H. Rice called the convention to order and Mr. Nakapaahu made the following speech: 'Mr. Chairman and gentlemen of the Convention.

"I come before you to contradict in person all the accusations against me. Mr. Kalaokalani has said that I told him that my tongue was Republican and that my heart is and will ever be Home Rule. This is false. I never made any such statement to him. As far as my Republicanism is concerned, I confess that if you wish me to take the oath I am ready to do so at once. I am a Republican until death. I am also accused of not refusing the Home Rule nomination. To tell the truth, I never knew anything about it until last Saturday when our Sheriff informed me of the fact. I immediately asked him to deny it in the Garden Island. As there is a rumor afloat that if I will not get nomination for Senator on the Republican ticket I will run on the Home Rule ticket, I would say that if I am defeated in this convention, I shall remain loyal to the Republican party and will work for it all the more. In regard to legislative matters, I am accused of working for one or a few. I deny this as I always worked for the people in general and not for a few. If an obnoxious bill be presented in the Senate I will not support it or vote for it. I will only vote for a bill that will benefit the people at large. Four years ago when the Home Rulers had the majority in the Legislature, they introduced a bill which was detrimental to the plantations and I voted against it."

"Mr. Fairchild then asked Nakapaahu if he had made any statement to Apolo that he would run on the Home Rule ticket if nominated. Mr. Nakapaahu said that he hadn't seen Apolo since last year."

On the ballot Nakapaahu lost the nomination by a plurality of two votes to J. K. Gandall, who had a majority of one in all the votes cast. On motion of S. W. Wilcox the nomination of Gandall was made unanimous.

LEPERS NOT TO HEAR ORATORS

No political speakers will be permitted to invade the precincts of the Leper Settlement this year in order to sway the voting population. Both Prince Kuhio and Charles Notley agreed that they would not go to the Settlement for the purpose of making speeches, but Chairman Kinney of the Democratic committee decided he would prefer sending Laukea there in answer to his request to do so. President Pinkham of the Board of Health has made the following reply:

Honolulu, Hawaii Oct. 3, 1904.
W. A. Kinney, Chairman Democratic Central Committee

Sir: Having consulted the candidates for Delegate to Congress and those responsible for the Settlement at Kalaupapa, Molokai there seems to be no opposition to the position that it is best to avoid the excitement of the political canvass among the sufferers. Therefore, since the same conditions are imposed on all parties, I am unable to grant permits for political addresses.

I beg to remain very sincerely,
L. E. PINKHAM,
President Board of Health

As Others See Us.

Two of the Republican candidates for Representatives from the Fifth district in Honolulu have been asked by the party to withdraw after the attacks of the Advertiser and The Star. These two papers refused to be led by the machine which seems to be getting worse right along but attacked and exposed the part of candidates the machine stands for in its hope to win at any price. Sol Mahelona and J. K. Shaw of the Fifth are part of the price the Honolulu machine is willing to pay for success. At such a price no logical man can say the machine should not succeed—Garden Island.

CARTER AS AN ISSUE

W. A. Kinney Tells Why Democrats Go For Him.

Honolulu, T. H., October 5th, 1904.
Editor Advertiser.—In your issue of yesterday morning you closed an editorial entitled "The Democratic Program" with these words:

"Governor Carter is not and cannot be made an issue of the campaign, and the attempt to import him into it is a futile effort which will re-act upon those making it."

As chairman of the Democratic Central Committee, I should like to say in reply, that the Democrats did not seek to make Governor Carter an issue of this election, but that issue was forced upon them. For instance, the campaign had not been opened when it was found that Democratic office-holders and employees of the Government, were unable with safety to sign rolls of the Democratic club where they resided. Laborers at work on the roads and other public works who were known to be Democrats declined for the same reason to sign the roll, claiming that they were given work on the understanding that they vote the straight Republican ticket, and that they would be dropped off the rolls as soon as it was apparent that they were affiliating with the Democrats. These laborers are employed under a department whose head has filed an untended resignation with the Governor, such action being justified on the specific ground that the Governor is responsible for the acts of his subordinate and, therefore, should control his tenure of office. The Democrats called a ratification meeting of their nominees in this city, and found that orders had been given out to all the laborers preventing their attendance at the meeting; this by men who hold office at the will and pleasure of the Governor. The Democrats have seen an immense block of money out of the Loan Fund held back in the Treasury, when times were hard, and finally on the eve of the elections being spent with a lavish hand on all of the islands, on a class of work in which the floating vote can be employed in large numbers. It is given out on every hand that these men are expected to vote the Republican ticket. They are seen at work on the roads during the day time and at night are seen attending Republican meetings in a body with their lunas, including men who are known to have no sympathy with the Republican party, and have affiliated with and are Democrats or Home Rulers. If these large bodies of men can be voted solid for the straight Republican ticket, the Democrats know what the result will be. There will hardly be any use of holding an election, for there are clearly enough straight Republican votes, coupled with the votes of the office-holders and these labor votes, to defeat any other party at this, or for that matter, at any future election. Moreover, it is conceded that in the last County election, the Republican machine counted out the Home Rulers largely through manipulation in the Fifth Precinct, which was followed by no prosecution or punishment whatsoever, although the Governor has made himself personally responsible for everything done in the Executive Department, by his policy of centralizing all authority in himself.

Under these circumstances, what else can the Democrats do than confront the issue that meets them every day in the conduct of their campaign nullifying and setting aside legitimate party efforts for party success. When laborers are kept away from our meetings against their own wish and desire by men directly under the orders of the Governor, what would you do if you were in our place? Are we to say nothing about it? If so, we might as well go out of business.

The whole Republican campaign shows evidences of having been deliberately planned and outlined months ago, and is founded upon coercion and intimidation, and upon the corrupt use of official patronage, and unless that can be met and checked, it is idle to talk much about what the Democrats are going to do when they get into the Legislature, for they will never get there.

We would like in Mr. Hutchins' behalf to get the vote of Independent Republicans, but that vote cannot elect Mr. Hutchins unless we are able also to call out and vote substantially our full Democratic strength in his behalf. As a matter of fact the Democrats have in their platform outlined a number of business propositions which they will present in the Legislature, if elected. They propose still to do this, but without abating one jot or tittle of their right to insist that there shall be an untrammeled vote and a fair count, and to call men to account for preventing such elections. You weigh against Legislative enquiry into the methods used by the Executive. It is the only way that the citizens of the Territory have to express their sentiments in regard to the conduct of the Executive. We cannot remove him; this can be done by the President alone. An investigation is all we have, but this is better than nothing, for, if fairly and thoroughly conducted, it may lead to the condemnation of such methods and abandonment of their use by any party in the future.

We contend further that the Democratic party is doing a great service to the Territory in raising the issue in a legitimate and open way here, within our own borders. If we are silent on the subject the matter will not down. The situation is understood and the evil effects of it will make themselves felt later, if not now, against the good name and standing of the Territory.

W. A. KINNEY.
Chairman Democratic Central Committee.

SAW THE FIGHTING.

(Continued from page 1.)

with a comparatively small loss.

At this time Wallace joined the Fifth regiment in time to take part in the charge on Brushy Hill, the central hill of the chain. The entrenchments at the top of this hill were filled with the flower of the Russian army, the troops fresh from European Russia, including the crack thirty-fifth regiment. For hours the Japanese lines, elbow to elbow, advanced up the hill in short rushes. The hillside was swept with shot and shell and men were falling all around. Mr. Wallace says that three or four fell within reach of him during the first ten minutes of the fighting. When within about three hundred yards of the trenches the Fifth and Sixth regiments charged and drove the Russians out of their trenches. Inside of two hours the trenches were recaptured. At this juncture over one hundred Russian guns opened fire on the Japanese on Wedge Hill from Round Top and other batteries from two other directions. The carnage resulting was terrible, over 1500 men falling in less than half an hour. The general assault made along the Japanese line was a failure that day and the Japanese were forced to retire. The men did so reluctantly, fighting with a stubbornness and desperation never before equaled in modern times. Often the bugle had to sound the retreat several times before the men would go back. That night the soldiers, utterly exhausted, slept amid a storm of grape shot. Thousands of shells were thrown into a little valley, not more than forty acres in extent, while the thunder of the great guns went on without ceasing—the greatest play of artillery since Sedan and considered by many who saw that battle to have been greater.

The correspondents helped bind up the wounded in a field hospital and went to the front again the next day. On the 31st the Russians were driven out of the first line of entrenchments and for three days they held the second line but were finally forced to retreat.

Mr. Wallace has a large number of drawings made in the field and a collection of photographs made on the firing line which are probably unequalled among war pictures. Beside those showing the Japanese charging and firing there are several showing the Japanese burning the bodies of their killed. They always bury the Russian dead. There are also pictures of the entrenchments formed of five rows of posts having barb wire stretched in every direction. Between the posts, as close as they can be dug, are pits, seven feet deep and four feet wide at the top in which are sharp stakes two feet long. Numbers of men were seen impaled on these stakes. The engineers were forced to cut every strand of the wire with their nippers and many of them fell into the pits while engaged in this work.

The men on both sides in the great struggle fought with desperate courage. A company of Stakelberg's men held a fort with only two machine guns, fighting like devils while the Japanese could hardly be driven to retreat. When Mr. Wallace arrived at the front he took his station with a bunch of men who were behind a rock. They were all glad to see an American and all wanted to shake hands with him. When the outside man reached over to shake hands both he and Wallace had to raise their heads above the rock. At this juncture a bullet struck the top of the rock and split, half of it going through Wallace's hair. At another time a bullet struck Wallace's boot and glanced off also going through his hair. Yet he escaped unharm although he nearly died of dysentery.

Wallace is of the opinion that, barring outside interference or internal complications in Russia, the struggle will be one of years and that finances will determine the result. The Japanese are making their movements carefully and many of the so-called strategic movements of Kuropatkin to the rear which many interpret as attempts to draw the Japanese north are inspired by the Japanese. Staff officers told Wallace that the Japanese would not go north of Mukden. One thing not generally known is that the Japanese are sending out losses far below the actual figures yet they seem to still have plenty of men to draw from. As to the report that General Kuroki's army had been cut off from the rest of the Japanese the story originated from the fact that a small detachment of the army was cut off, though Kuroki himself was safe.

Manager James Gibb of Pasahau plantation and Mrs. Gibb, who arrived by the Sonoma from Scotland, were among the guests registered at the Hawaiian Hotel Wednesday; also Mr. C. Lloyd and Mr. J. F. Lloyd of Cincinnati, and Mr. and Mrs. Clemmison of Boston and Mr. H. Amweg of San Francisco.

LAME BACK.
This ailment is usually caused by rheumatism of the muscles and may be cured by applying Chamberlain's Pain Balm two or three times a day and rubbing the parts vigorously at each application. If this does not afford relief, bind on a piece of flannel slightly dampened with Pain Balm, and quick relief is almost sure to follow. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

FRED. WATERHOUSE IN PLACE OF SHAW

Harmony Meeting of Fifth District Workers Last Evening—Shaw Will Take the Stump for His Successor—Branding Traitors.

(From Thursday's Advertiser.)

Harmony and enthusiasm reigned at the meeting of the Fifth District Committee held last night to nominate a candidate for the legislature vice James Shaw, resigned. In fact it was a regular love feast. H. C. Vida presided and A. St. C. Piana was secretary. Forty-three delegates were present, including proxies. As soon as nominations for Representative were called for Mr. Piana was on his feet and with a few well chosen words placed Fred P. T. Waterhouse in nomination as one "who has the interests of the country at heart." Amid great applause nominations were closed and the secretary was instructed to cast the unanimous ballot of the committee for Mr. Waterhouse. When the chair announced the result he said, "Mr. Waterhouse is duly elected," instead of "nominated" and this brought out a volley of cheers. Responding to calls of "speech," the candidate spoke a few words, promising his support for the whole ticket and urging the election of every man on that ticket.

William Isaac said that he wished to say a few words for Mr. Shaw. He said that he had worked hard for the party and was a true Republican. "Let us do what we can for him," he said; "especially as he has magnanimously offered to go on the stump for Mr. Waterhouse." E. R. Adams spoke in the same vein, alluding to Shaw as a strong party man and commending his offer to go on the stump. He said that all should have the greatest aloha for Mr. Shaw. These remarks were loudly applauded. Mr. Parker wanted to nominate Shaw for the vacant vice-chairmanship of the District Committee, but it was found that the position had already been filled.

Isaac Cockett introduced the following resolution, which was seconded by Mr. Zablan:

"Resolved, That any member of the District Committee who advocates the election of a nominee for the Legislature opposed to the regular Republican nominees is a traitor to the Republican party and should be treated as such by the party."

The resolution was unanimously passed amid great cheering. Reports from the precincts were called for and Mr. Zablan of the 11th reported progress in the face of many difficulties. Several strong Home Rulers had been converted. At this point Mr. Kealakaloua arose and objected to the giving of such reports in public as they would furnish information to the enemy and appear as if the Republicans were over-confident. Looking in the direction of the newspaper men he said, "To give our private news to the public will be our fall." He was interrupted by cries of "No, No!" and suggestions that the news would encourage the rank and file of the party. The discussion was declared out of order and the committee adjourned.

SHOULD NOT VOTE FOR CECIL BROWN

A circular has been issued to Republican voters by the Republican committee urging them to not vote for Cecil Brown.

MURDER FIRST DEGREE FOUND AGAINST MIRANDA

(Continued from Page 1.)

of her fingers on the man's chest. The American did not swear at the Porto Rican that night. Witness did not know whether Miranda drew the knife out before or after Damon touched him. She did not see the knife; did not see the American's hands when he pushed the Porto Rican.

Mr. Andrews objected to two cross-examinations on the same subject. He was sustained and then, at 11:05, announced that the case for the prosecution was closed.

THE DEFENSE OPENS.

Mr. Davis opened to the jury for the defense. "The defense in this case is that this was not murder in the first degree," he began. "That there was a life taken that night there can be no doubt." Counsel said it would be attempted to be shown that the crime of the defendant was manslaughter, that the deed was committed in the heat of blood and not by a person of cool and steady mind. The defendant would be put on the stand to testify in his own behalf. His environment should be taken into consideration. He was brought up in ignorance. Though he could read he could not write. For several days before the killing of Mr. Damon he had been drunk.

DEFENDANT TESTIFIES.

Jose Miranda, called, said he was 23 years of age; attended school about a year, when 11 years of age. When 12 years of age his father and mother died. He came here when 19; worked on Waipahu plantation about 11

at the coming election, and giving cogent reasons why this advice should be followed. The circulars were mailed yesterday. The document reads as follows:

There has been a lot of controversy regarding the so-called "bolt" of Cecil Brown, but why dignify it by the name of "bolt," when it might more properly be termed a defection, it having been openly stated before the nominating convention took place that he would run independent in event of his not being given what he wanted?

In his open apology for running, Mr. Brown has said that it was his intention to abide by the decision of the convention; and it is highly probable that such was his intention some time previous and before he would have believed it possible that any convention in Hawaii could turn him down. It is also true beyond a doubt that the statement heard so often just before and during the convention, that he WAS to run, whether nominated by the convention or not, coming as it did in the form of a threat, conduced to his defeat.

From our point of view there are several other reasons, all good ones, why he very properly was not favored with a renomination at the hands of the party, the first in importance being his well-known hostility to the Governor and administration generally.

Every man of average intelligence who will stop to consider the matter, must know that if any good is to come out of the next Legislature it must come through that body working in harmony with the administration, and surely the way to secure such harmony is not to elect to the superior branch any man or set of men avowedly opposed to the Governor and his plans.

Not alone the honesty of intention, but the wisdom of the Governor in planning for a progressive and economical administration of affairs is now universally recognized, and the people are mostly content to leave matters to his direction so that the opposition of a single Brown could not defeat his measures, but the opposition of such a Brown could easily cost the taxpayers \$5,000 per day in prolonging the session by the obstruction tactics of which he is a past master.

No citizen with confidence in the Governor will vote for Brown, as he would knowingly be voting against the best interests of the Territory. In other words, a vote for Brown will be a vote for a prolonged and expensive session of the Legislature and a vote against progress and much-needed reform.

HE DECLINES TO BE CAMPAIGN EXHIBIT

Morris Keohokalole, the stranded private secretary of Delegate Kuhlto at Washington, disdains the thought of being brought home by Democratic money to be posed as a campaign exhibit by the Democrats. Neither will he accept any other eleemosynary means of transportation.

In a letter to a friend in Honolulu, Keohokalole says he declines to come home, on subscriptions from the Democratic party or anybody else. He declares he will return only on money belonging to himself, raised through the sale of his own lands.

was before I stabbed him. I never saw that man before; had no animosity against him. I was not angry, but I was a little intoxicated; had taken a good deal of wine; did not know that I killed him; did not know that I wounded him.

I did not want to tell about that woman, but since she is trying to send me to prison I will tell the truth about her. That was her knife. I took her to live with me at Liliha street. She told me that was her knife; she told me to leave it there, that I might want it. That morning I wanted to go to Waiwala; told Chito to make some coffee; Antonia did not want to drink the coffee; Antonia cried and did not want me to go to Waiwala; I told her I had to go because they wanted to arrest me. I went to Moanalua on the electric car; Antonia went to town and brought food to me; I took the knife to open a can of meat; Antonia opened the can of meat with the knife; I put the knife in my trousers.

Antonia took a rock to kill a Chinaman; if she says I told her to do so she lies. I was drinking from the 28th (the day before the killing) in the evening; drank about a gallon of wine; the woman did not drink any of it.

Cross-examined by Attorney General Andrews—Witness admitted having been convicted of various offenses three or four times since coming to Hawaii; the first time was after he had been working on the plantation for eleven months; was out of jail ten days after serving a sentence of two years for burglary in the first degree before stabbing Damon; knew the police were after him; because Antonia told him; it was for breaking open a trunk belonging to a Porto Rican woman. (A question as to whether he had not been convicted in Porto Rico of stabbing a woman and escaped was overruled first on objection to the escaping and then on objection to the stabbing.)

Did not sit down on the pile of dirt to take the thorn out; the woman did not tell him that she had a thorn in her foot; they had already passed the lantern before she told him about the thorn, about 150 feet; they ran back and sat down, not at the pile of dirt but 150 feet farther; while I was looking for the thorn the buggy came up; did not throw the lantern down until the man came in the buggy; was sitting down by the road when the man came along; he didn't hit me right away but told me to put the lantern back.

I was sitting down with the woman's foot in my lap when the buggy came up; he hit me when I was sitting down; he did not strike me because I dodged. (Witness here described the striking motion of Mr. Damon, which was a high swing at the level of the striker's shoulder.) He struck me a second time when I was sitting down; then I sat up and as I sat up he shoved me, and then I struck at him with my fist; did not pull out my knife then; the woman told me I had an iron; we were right close together when I drew the knife; he tried to prevent me from drawing the knife; he had hold of me.

(Witness illustrated how he struck Damon with the knife, giving an under thrust. He showed how the handle of the knife came off when the blow was struck.)

I struck him so gently that I did not know I wounded him; it is not a fact that my thumb went into the wound. He went to his buggy and then we walked on; we were walking slowly; did not run till the woman told me to run; don't know where I threw the knife, somewhere on the right of the road; ran because the woman told me I wounded the man; she told me the word the American said. I ran for a while till I came to the railroad, then did not run any more; the woman told me we had better take the track.

"When you approached the haole with the knife were you angry?"

"No, I was drunk."
(Question if he was perfectly calm and cool allowed against objection.) I got angry; had thoughts came into my head; in consequence of the bad thoughts I stabbed Mr. Damon; the thoughts were from the time he swore at me and shoved me; at the time I punched Damon with my hands the bad thoughts came into my mind. I had been drunk at Moanalua; bought the wine in Honolulu; drank from the gallon until I got to Moanalua; did not drink it all up; was carrying the demijohn in my hands; finished it about 12 o'clock midday; had nothing to drink from 12 noon until night.

Witness identifies Officer McDuffie across the courtroom and proceeds—Told him (McD.) in prison I had bought this knife for ten cents from a Porto Rican; told him so that the woman would not be arrested; told a lie that time.

"I would not tell a lie to save anybody from arrest," would try to save a woman from arrest; knew she was arrested at that time. It was true that the woman picked up a rock; it was not true that I told them (Chito and Antonia), to pick up rocks so as to knock a Pake senseless; it was the woman who said that; a Pake passed and she threw two rocks at him.

At 12 noon Mr. Andrews had concluded his cross-examination.

THE WOMAN CALLED.

Mr. Davis wanted to have the woman recalled, which was done.

Marie Antonia Colonna—(shown the knife) never saw that knife before; first saw it in the hands of Signor McDuffie; Jose Miranda did not get that knife from my house; never saw a man open a can of beef with it.

To Mr. Andrews (in rebuttal)—Jose Miranda did not drink any wine at Moanalua that day. To a juror—Did not have a thorn in my foot; did not have a thorn that night. Miranda was not sitting down when Damon came along; if he said so it is a lie; my foot was not in Miranda's lap to have a thorn taken out.

WAS NOT DRUNK.

C. F. Chillingworth, Deputy High Sheriff, recalled—Arrested defendant about 9 o'clock; there were absolutely no traces of liquor about him, nor signs of intoxication.
Chito, recalled—Miranda had no liquor. Cross-examined by Mr. Davis—Miranda handed me the knife to open a can of beef; the woman was not present; do not know whether the woman

(Continued on Page 2.)

FEES ARE CUT DOWN

Celebrated Equity Suit Dismissed—Divorce Granted.

The Supreme Court yesterday, in the following order, took down the price of naturalization from the high figure at which it stood since the inauguration of the Territory as compared with the cost of the process in the Federal court:

"It is ordered that the costs in naturalization cases in all courts of the Territory having jurisdiction of such cases shall be as follows:

Filing petition\$.25
Swearing to petition25
Stamps on petition 2.00
Oath of allegiance25
Filing oath of allegiance25
Docketing judgment 1.00

Total \$4.00

and that no other costs shall be charged in such cases."

NOTED SUIT ENDS.

The Supreme Court yesterday dismissed the appeal of plaintiff in the suit of Kalluass, A. K. Campbell-Parker and others. This is the case in which the plaintiff sued to cancel a deed to property opposite Thomas square, at King and Kapoloani street, given to the late James Campbell by her, on the ground of alleged coercion and fraud. Between the conveyance in question and the bringing of the action the property was sold in pieces to different third parties.

BOYD'S CASE SET.

E. S. Boyd's trial for embezzlement of public funds has been peremptorily set by Judge Robinson for next Monday.

COURT NOTES.

Judge Robinson granted a divorce to Daniel Phenul against Keakokala Phenul on the ground of desertion. The regular panel of jurors in Judge Gear's court is required to be in attendance at 10 o'clock on Tuesday morning, the 11th inst.

Judge De Bolt had to issue another special venire for 25 men in the Chinatown fire insurance case yesterday, the jurors brought in by the previous day's venire not furnishing twelve men to try the case.

Judge De Bolt will call the balance of the civil cases on his calendar at 9 o'clock this morning.

GONE AWAY TO THE LAND OF HIS BIRTH

L. de L. Ward, for many years past in the office of W. G. Irwin & Co., Ltd., left in the steamer Sonoma last night for New Zealand, the land of his birth, to remain permanently. Mr. Ward came to Honolulu as a child with his parents, his father being a practicing lawyer here for some years, and he leaves them at rest in Nuanu cemetery. He has been prominent in Masonic circles here and taken considerable interest in athletic sports, and will be greatly missed by a large number of friends.

TO CELEBRATE EDWARD'S BIRTHDAY

Britishers in Honolulu are working up interest in a celebration of King Edward's birthday on November 9. Discussion of the matter has already developed considerable enthusiasm and the occasion will undoubtedly be fittingly observed.

PEARL HARBOR MUST WAIT IMPROVEMENTS

WASHINGTON, Sept. 24.—Nothing has been done by the Navy Department towards establishing a naval station at Pearl Harbor in the Hawaiian Islands, although for some time this Government possessed a site available for a naval station. With America's enlarged and increasing interests in Asiatic waters such a station would be most valuable.

It is the opinion of the naval general board, however, that the resources of the Government should be expended in other directions, mainly at Guantanamo and Olongapo. The sentiment has been, and probably will continue to be, in favor of rushing work in those directions and not doing much else. This opinion is based on the strategic considerations and the belief that America should have facilities at Guantanamo and Olongapo in the least possible time.

There is great need of additional dry-docks on both the Atlantic and the Pacific coasts. On the western coast the service could find valuable use for two more dry-docks, while on the Atlantic coast at least two new ones are needed.

Extra steamer time tables can be had by calling at the Gazette office.

FEDERAL BUILDING

Sites Chosen By the Chamber of Commerce.

Three sites have been selected by the Chamber of Commerce as suitable locations upon which to erect a Federal building. These sites were agreed upon in a resolution passed yesterday at a meeting of the trustees of the Chamber of Commerce, as follows:

Resolved, That the President and Secretary of this body be requested to communicate with the Honorable Secretary of the Treasury, on the urgent need of Honolulu for a Federal building, suitable to the present and future needs of Federal officers, and petitioning that official to recommend an appropriation for such purpose in his next report to Congress.

Resolved, Further, That the President and Secretary, in so presenting the matter to the Honorable Secretary of the Treasury, request that should an appropriation be made, such public building be erected on any suitable site within the following boundaries: Commencing at Halekauwila street, up Fort street, to Hotel street, along Hotel street to Richards street, down Richards street, along King street to Mill-lani street, down Mill-lani street to Halekauwila street, along Halekauwila street to place to beginning.

And Resolved, Further, That the President and Secretary hand a copy of this resolution to Hawaii's Delegate to Congress, with the request that he do all in his power to procure an appropriation for said purpose.

Resolved, That the President and Secretary communicate with the Honorable Secretary of the Treasury of the United States on the necessity of securing a Revenue Cutter for service in the Hawaiian Islands, and respectfully request that official to embody in his report to Congress a recommendation for an adequate appropriation for that purpose.

And Further Resolved, That a copy of this Resolution be handed by the President and Secretary to the Delegate from the Territory of Hawaii to Congress, with the request that he use all means in his power to secure such appropriation.

Resolutions of regret concerning the death of S. Edward Damon, were also passed.

MISTAKEN DIAGNOSIS.

There are many people who have pains in the back and imagine that their kidneys are affected, while their only trouble is rheumatism of the muscles, which can be cured by a few applications of Chamberlain's Pain Balm, or by dampening a piece of flannel with the Pain Balm and binding it over the affected parts. A pain in the side or chest should be treated in the same manner and prompt relief is sure to follow. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

THE ST. ANDREW'S QUIET DAY SERVICE

A Quiet day for women will be held today at St. Andrew's Cathedral, beginning with a celebration of the Holy Communion at 10 o'clock. This will be followed by a meditation and prayer until 12 o'clock when lunch will be served in the Sunday school room. From 1:15 p. m. the Quiet day will be continued until 4 o'clock when it will be closed with evening prayer.

Women generally are invited to attend these services. Those who cannot attend throughout will find opportunity to come or go as may be most convenient.

Convincing Proof

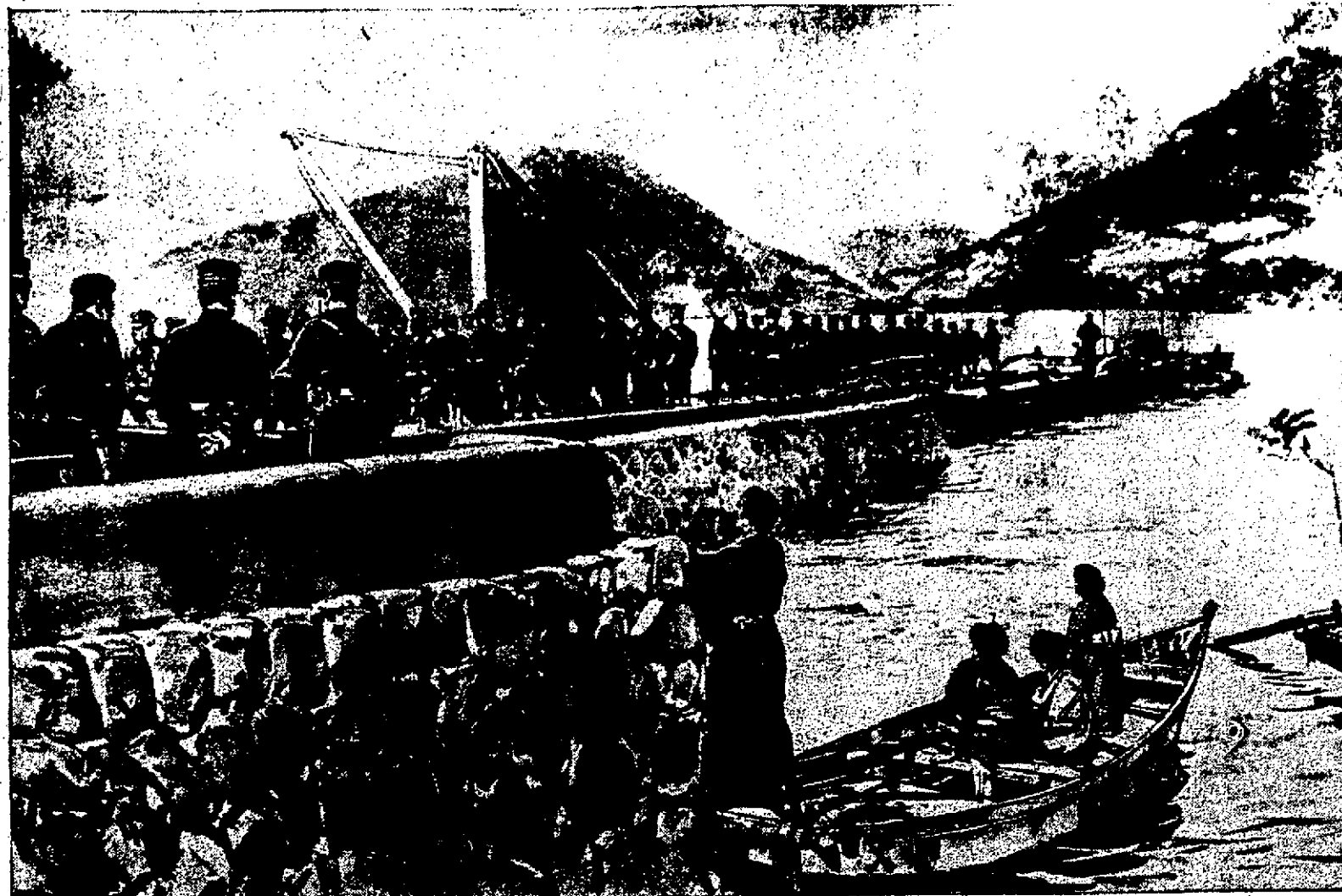
The Average Honolulu Citizen Must Accept the Following Proof.

The great Sir Isaac Newton, one of the most profound reasoners the world ever produced, once cut a large hole in a board fence to allow a favorite cat access to two gardens, and cut a smaller hole to allow her kitten to follow her. The weakness manifested in Sir Isaac's action was due to want of thought. Any reader who mentally debates the proof offered here about Doan's Backache Kidney Pills and arrives at any other conclusion than that stated in this citizen's statement, is as short of reasoning powers as the philosopher when he turned carpenter.

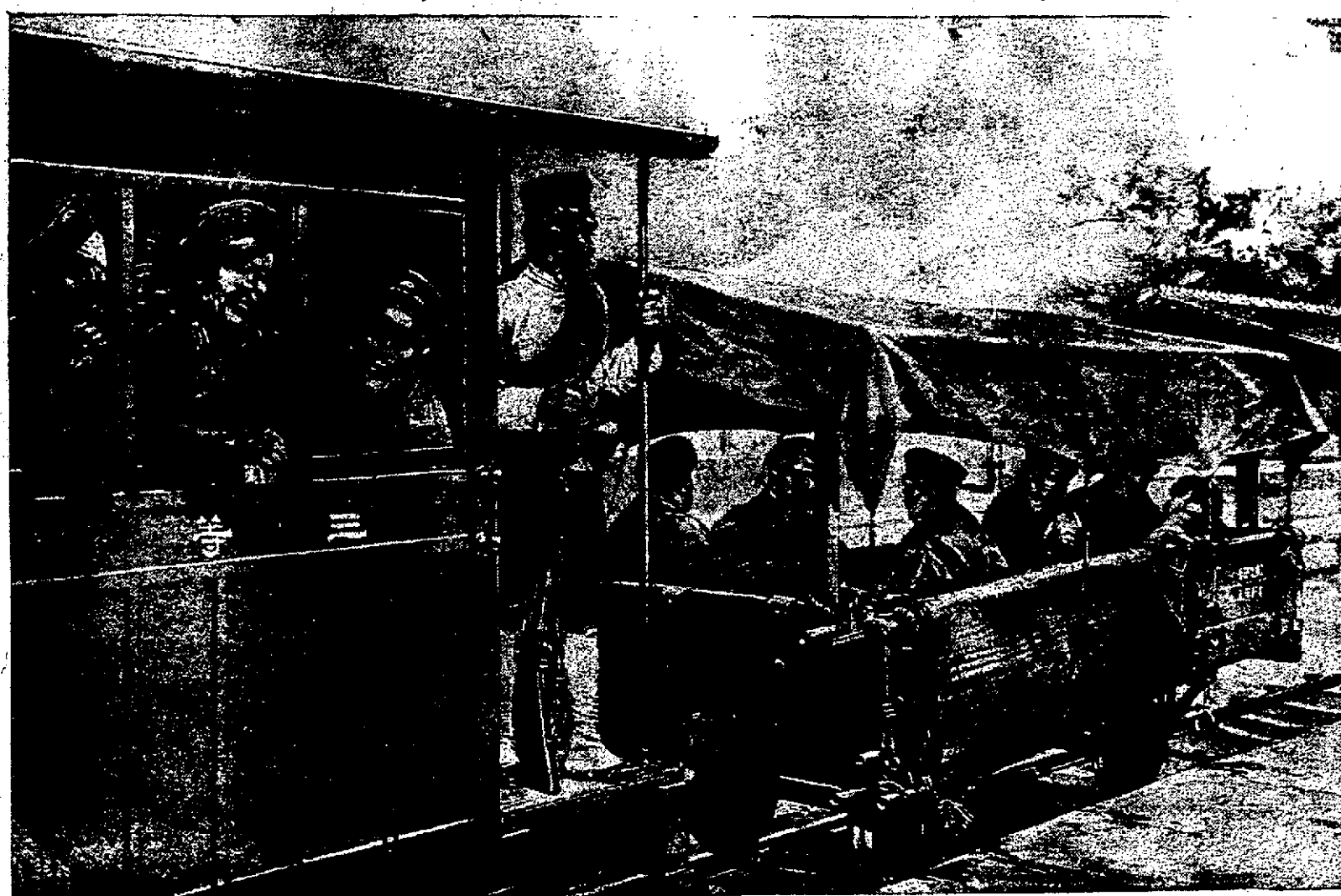
Mr. H. S. Swinton of this city says: "I was a long sufferer from backache, having been afflicted with it for twelve years. Taking this as a symptom of kidney trouble, and seeing Doan's Backache Kidney Pills advertised as being good for complaints such as mine, I procured some of them at the Hollister Drug Co.'s store. I found upon taking them that they were doing me good, and was thereby encouraged to keep on until now I am cured of the backache. The merits of Doan's Backache Kidney Pills have been strikingly shown in my case, and I recommend them to other sufferers."

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

RUSSIAN PRISONERS AT MATSUYAMA.



ARRIVAL OF PRISONERS.



ROUGH COMFORT IN A PRISON TRUCK: ENTRAINING RUSSIAN PRISONERS FOR MATSUYAMA.

The Japanese consideration for their prisoners is almost unparalleled in the history of warfare. Here, although the captives can be accommodated only in a railway truck, they have been carefully provided with an awning.

GOLD MINE WAS A CURSE.

Famous Lost Lode Responsible For Many Horrible Deaths In the Desert.

The series of longitudinal valley that traverses the central-southern portion of Nevada, terminating in the Death Valley of California, formerly bore the general name of Ralston Desert—a wide, arid region given over to scrubby sagebrush and cacti, and to the buzzards, for whose epicurian palate the hapless miner who sought to shorten his journey to California too often provided a sumptuous repast.

Three-Fingered Jack Hoover, heralded in song by our own "Gene Field," was the only man in the Watson district who dared to drive a stage coach straight through the Ralston. But there came a day when Hoover found something more interesting than spinning yarns about Red Horse Mountain days. For a score of years he had been seeking, at odd times, the famous Lost gold mine, a vein in the heart of the desert so rich that its possessor would become at once a king among millionaires; and in the spring of '87 he struck his lead.

Three-Fingered Hoover was far too shrewd a man to take any one into his confidence, for he knew the raffish, the off-scourings of civilization that comprised the society of that godless country. He had passed the meridian of life, and the fire of his nature could no longer be kindled even by the sight of gold; so he kept his own counsel while he toiled in the Watson silver mines and boarded up money where-with to develop his wonderful find.

At length the help of another man seemed indispensable, and he selected the stupidest man in the camp. To Dan West the sun was as likely to rise in the north as anywhere else; moreover, he could handle a pick and shovel with alacrity; but here his catalogue of virtues came to an end. Hoover had no fear that West would betray his secret, for the obvious

reason that West knew as little about the location of the claim after he had visited it as he did before.

Twenty-five miles from the Reese range Joe Harris had pre-empted a gem of an oasis some 40 acres in area, and here with the help of his fourteen-year-old boy, Billy, and half a dozen ranch hands, he managed to raise enough beef and produce for old Watson's men.

To this delightful spot, known the country over as Cloverdale ranch, Hoover and West repaired late one Saturday night. While they were feeding their horses they discussed, with unguarded freedom, their plans for the ensuing day, and Billy Harris, concealed behind the haymow, drank in every word of their thrilling conversation.

"Lemme go 'long, Jack?" he pleaded, when his eagerness had reached such a pitch that he could no longer remain in hiding.

Hoover laughed good-naturedly at the boy and promised to take him next time; but Billy was not to be put off with "next time." Not a wink of sleep came to his pillow that night, and before daybreak he was on the house-top watching for the departure of Three-Fingered Hoover and his companion.

On Tuesday word was received at the Watson River mine that Billy had not been seen since Sunday morning, and that his father held Hoover and West to account. "Looks mighty dark for you," the Sheriff said to Hoover. "Billy told one of the hands that he knewed what your claim was, and the whole business is a kind of circumstantial evidence again you."

"Gimme 40 men and 10 days, en' if I don't find the boy ole Harris kin her the fun of strickin' me up," Jack returned doggedly.

At daybreak next morning a party of 40 mounted men set out for Cloverdale ranch. Most of them had hunted men in the desert before, and the prospect was by no means a pleasing one; but there was something more than a feeling of pity for a comrade in trouble to stimulate them; for somewhere in the heart of the Ralston lay Three-Fingered Hoover's Eldorado.

At the ranch the company broke up, going in groups of 10, to each of the points of the compass. They were provided with a week's supply of food and water, and signals of distress and triumph had previously been agreed upon.

The party that set out toward the south was headed by Three-Fingered Hoover and Dan West, with the father of the missing boy in charge of the Sheriff, for the disposition was still strong in him to make short work of the supposed murderers of his child.

Endless vistas of desert sand stretched away in every direction, with never a trace of vegetation save a scanty growth of sagebrush, and overhead the clear, thin blue of the desert sky. Two days and nights were passed on the burning sand, and on the evening of the third day Hoover described a flock of buzzards wheeling in ever-lowering circles in the transparent heavens. Too well he understood why those unneighborly birds had assembled themselves. Galloping ahead of the party, he scrutinized the sand. Presently an exclamation of mingled triumph and dismay burst from his lips and the rope that in fancy he had been weaving about his neck loosened its hold.

"Look! Ef it ain't Billy it's some other poor devil that's gone mad in the desert. Mebbe we kin save him yit ef he ain't gone too fur. He must be 'tother side of the ridge now. He'll come truckin' 'round to this side pretty soon, an' we kin ketch him an' wrap a wet blanket around him ef it takes every blasted drop we've got in the crowd," he whispered to West.

"Yes, ef he ain't done patered out an' dropped down. But what's them buzzards a-doin' here? Looks like there was somethin' dead 'round loose," West returned.

At that moment the Sheriff was pointing out to Joe Harris the bestest path in the sand—the wide circle that

Billy's blistered feet had traveled a hundred times since the torment of three days in the desert had dethroned his reason. A dumb, white anguish settled over the sturdy ranchman and his body relaxed for a moment in the saddle. Then suddenly he started up, put spurs to his horse and, with a yell that must have aroused the demons in torment, galloped across the ridge. At the first shot from his revolver the vultures fluttered up from their repast and raised themselves majestically into the clear blue above. Harris flung himself from his horse and sank on the sand beside the awful remains of what was once his hope and pride. The body was bloated almost to bursting. From the left cheek and brow the flesh was gone, leaving one great staring eye loose in its socket, and among the clots of hair the naked skull gleamed through. As the rest of the party approached the father, crouched like a hunted beast and covered the wreck of a face with his hat.

"Don't let 'em see," he whispered to the Sheriff. But Hoover was not to be shut out of that group. With the tenderness of a woman he raised the boy in his arms and wrapped the blanket around him. His companions advised that the body be buried in the sand, for the modern process of embalming was not to be had in the desert. But the sturdy old miner heard not their remonstrances. With his awful burden clasped closely to his arms he turned his horse's head toward Cloverdale ranch.

As soon as darkness settled brush fires were kindled on the highest porphyry ridges to notify the other search parties that their services were no longer needed. Most of them went at once to New Boston to resume their work, for a funeral that had not been preceded by a fight or a lynching possessed little charm for them.

Beside the merry little Cloverdale Creek the ranch hands dug a shallow grave, close to where Billy's mother had been buried five years before. As the loose earth rattled down on the rude pine box Hoover threw his arms around the heartbroken father and the two men wept.

"It's all the curse of gold, Joe," he said. "I almost lost my soul for it; but my mother's prayers kept a-vingin' in my ears, an' now the Lord has scared



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The following day Hoover was blown into eternity by a belated shot in the Watson silver mine. Two weeks later Dan West, in search of Hoover's claim, met the awful fate of madness, the circular path and a death of nameless horror in the desert. How many other men have followed in his footsteps in search of that chimerical lode only the vultures can tell—St. Louis Globe-Democrat.

Mr. and Mrs. J. W. Neal, of Kauai, returned from the mainland on the Sonoma, and, pending their departure for the Garden Isle, are guests at the Alexander Young Hotel.

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Evanellino da Silva to Joao Feres. Rel Antonio J. Estrella to Manuel I. Cor-

delro
Frederic W. Hardy to Francisco Teizera
Thos. P. Rochfort to Emily Aguilar
William Green Jr. to Ellakapeka Macy
A. N. Campbell Tr. to Lale K. Pomeroy
I. E. Ray to R. A. Lyman Jr.
R. A. Lyman et al. to F. S. Lyman
John N. Makaiwa by Gdn to Notice
Sam Wo Jan Co. Co-E D
Sophia D. C. Duck et al. to Mary N. Davis
W. Akau to C. Ako
Wm. A. Kinney and wf to Est S. C. Allen by Trs
S. Iwasaki to First Bank of Hilo Ltd
H. Waterhouse Tr Co Ltd to Edith B. Wallace
Kaniho Wagner et al. to M. A. Tavares et al.
Bessie A. Kaukahu et al. to Waiwala Agri Co Ltd
Bank of Hawaii Ltd to Daniel H. Case
Mrs. H. K. Lowe to Lucy H. Henriques
Levi Kaloehanoano to A. Lidgate
G. E. Miner and wf to Louisa Mossman
Entered for Record Oct. 4, 1904.
Barney C. Reynolds to John C. Wagner
John C. Wagner and wf to C. Schoellkopf
C. Schoellkopf and wf to Mrs. Kaniho Wagner
Joao F. Gavina to Virginia Soares
Rei Manuel Luiz and wf to Harriet E. W. Wright
M. Keawe to Frank Andrade
Bishop & Co. to William G. Irwin
AM Ge. Lycurgus to Christina I. Peixoto
Rei Ge. Lycurgus to Christina I. Peixoto
Christina I. Peixoto and hb to Western & Hawn Invest Co Ltd
M. Lau Ah Yin and wf to Phoenix Sav. Bldg. & Loan Assn
M. D. T. Fleming to Harriet W. Talte
Rei Chun See Chin to Chang Young
BS
Entered for Record Oct. 5, 1904.
E. C. Greenwell to W. C. Achi
Can L. Chong Lung to Lai Choon
BS
Est of W. L. Wilcox by Exor to Elizabeth K. Meyer
D. Josia Keawe to Hawn Realty & Maturity Co Ltd
M

Recorded Sept. 26, 1904.

B. H. Brown and wf to A. B. Loebenstein
M; pc land, Puueo, Hilo, Hawaii; \$369.30. B 259, p 488. Dated July 28, 1904.

A. B. Loebenstein to Hilo Mercantile Co Ltd; AM; mtg B. H. Brown and wf on pc land, Puueo, Hilo, Hawaii; \$369.30. B 259, p 488. Dated Sept 10, 1904.

G. W. Paty and wf to H. Hackfeld & Co Ltd; M; lots 47 and 48, blk F, Kapiolani Park, Addn, Honolulu, Oahu; \$528.83. B 259, p 490. Dated Apr 11, 1904.

George W. McDougall to Henry Weeks; CM; 50 head of cattle, Waiea, S. Kona, Hawaii; agrmt in B 265, p 103; \$400. B 259, p 492. Dated Sept 13, 1904.

G. E. Miner and wf to Maui Agri Tr Co by Tr; D; R. W. for ditch, waterway, etc, cross Gr 59, Haiku, Makawao, Maui; \$1500. B 258, p 390. Dated Sept 19, 1904.

I. Keilikulua to Josana Kahikihiko; D; int in Kul 1255, Ap 1, Kalihi, Honolulu, Oahu; \$10, etc. B 258, p 392. Dated July 10, 1899.

Est of A. J. Rodrigues by Admr to S. Kimura; L; 6 rooms in 1st story of Rodriguez block, cor Main and Market Sts, Wailuku, Maui; 1 yr @ \$360. B 263, p 47. Dated Sept 1, 1904.

Kalelanuene Halama (Mrs) to Ah Tuck; L; 125-100 A land and 1 lot, Halepa-hu, Waihee, Maui; 12 yrs @ \$60 per yr. B 263, p 49. Dated Aug 16, 1904.

Adelaide K. Pua and hb (S. K.) to Samuel Parker; D; int in pc land, Waiwala, S. Kona, Hawaii; \$400. B 258, p 393. Dated July 26, 1904.

Makali Keilikiki and wf to Eben P. Low; M; R. P. 5222, Kul 1092, E. Wai, Hamakua, Hawaii; \$200. B 262, p 62. Dated July 20, 1904.

John Schleif and wf to Eben P. Low; M; lots 10 and 11, Waikoeke, Hamakua, Hawaii; \$500. B 262, p 54. Dated Sept 23, 1904.

Francisco Marques to Dionizio de Abreu; Rel; por lot 5, Kuls 1074 and 59FL, bldgs, etc, Alewa, Honolulu, Oahu; \$400. B 252, p 233. Dated Sept 16, 1904.

Dionizio de Abreu and wf to Francisco Marques; D; por lot 5, Kuls 1074 and 59FL, bldgs, etc, Alewa, Honolulu, Oahu; \$400. B 258, p 394. Dated Sept 16, 1904.

Kaioe Ilihi (k) to M. Kabalekulu (k); D; R. P. 3706, Kul 11457, Honokohau, Kaanapali, Maui; \$25. B 258, p 395. Dated Aug 6, 1903.

M. Kabalekulu (k) to Henry P. Baldwin; D; 11-16 int in R. P. 3706, Kul 11457, Honokohau, Kaanapali, Maui; \$206.25. B 258, p 396. Dated Sept 22, 1904.

Joao Borges to Jacinta de Jesus; PA; general powers. B 265, p 201. Dated June 8, 1900.

Joao Borges by atty and wf to Anna Fernandez; D; 22500 sq ft land, Metcalf, Marques and Short Sts, Honolulu, Oahu; \$600. B 261, p 407. Dated June 8, 1900.

M. D. Mondarrat Comr to Frances Keating (widow); D; pors Kuls 1151 and 1478, Nuuanu Rd, Honolulu, Oahu. B 261, p 408. Dated Sept 24, 1904.

Ely Peck by Exors to Samuel S. Peck; D; int in por Kul 4452, etc, bldgs, etc, Vineyard St, Honolulu, Oahu; \$12,000. B 261, p 408. Dated Sept 26, 1904.

Samuel S. Peck and wf to A. Lewis Jr; M; por Kul 4452, etc, bldgs, etc, Vineyard St, Honolulu, Oahu; \$10,000. B 262, p 56. Dated Sept 26, 1904.

Samuel Kealahoumi and wf to W. E. Shaw; M; R. P. 792 and 788 and rents on same, Alea, Ewa, Oahu; \$112. B 262, p 58. Dated Sept 21, 1904.

Niau Iaukea et al by Comr to Keahi; D; pc land and R. W. Kalihi, Honolulu, Oahu. B 261, p 411. Dated Dec 29, 1902.

Keahi (widow) to Albert A. T. Araujo; M; por Ap 2, R. P. 2596, Kul 6450 and R. W. Kalihi, Honolulu, Oahu; \$250. B 260, p 158. Dated Sept 22, 1904.

Charles V. Booth and wf to Antonio Oliveira; D; lot 2 blk 1, Pacific Heights Tract, Honolulu, Oahu; \$200. B 264, p 120. Dated Sept 24, 1904.

Antonio Oliveira and wf to George Raupp; M; lot 2, blk 1, Pacific Heights Tract, Honolulu, Oahu; \$250. B 260, p 160. Dated Sept 24, 1904.

Lau Yuen and wf by atty; Adft; in reconveyance of pc land, King St, Honolulu, Oahu. B 265, p 208. Dated Sept 20, 1904.

Lau Yuen and wf by Att; Adft; in re-ownership of pc land, King St, Honolulu, Oahu. B 265, p 204. Dated Sept 20, 1904.

Lau Yin and wf to Lee Let; D; por R. P. 1088, Kul 170, King St, Honolulu, Oahu; \$4000. B 264, p 121. Dated Sept 20, 1904.

J. Alfred Magoon and wf to H. T. Walker et al; D; easterly half lot 15, blk B, Magoon Tract, Honolulu, Oahu; \$600. B 264, p 123. Dated Sept 6, 1904.

Recorded Sept. 27, 1904.

Waiwala Agri Co Ltd to Kum Wo; L; 4A land, Kawaihoa, Waiwala, Oahu; 15 yrs @ \$50 per yr. B 257, p 490. Dated Mar 28, 1903.

Kum Wo to Yee Shung Kee; CM; leasehold, stock in trade and fixtures, Kawaihoa, Waiwala, Oahu; int in insurance policy; \$800. B 262, p 61. Dated July 8, 1904.

Est of Bernice P. Bishop by Trs to Woodlawn Fruit Co Ltd; Consent; to A. L. of 18 1-10 A land, Waiua, Ewa, Oahu. B 240, p 210. Dated Sept 26, 1904.

Est of Emma Kalelanuene by Tr to Woodlawn Fruit Co Ltd; Consent; to A. L. of 125 69-100 A land, Halawa, Ewa, Oahu. B 240, p 194. Dated Sept 21, 1904.

Est of Bernice P. Bishop by Trs to Woodlawn Fruit Co Ltd; Consent; to A. L. of 28 A land, Halawa, Ewa, Oahu. B 240, p 190. Dated Sept 26, 1904.

Est of Bernice P. Bishop by Trs to Woodlawn Fruit Co Ltd; Consent; to A. L. of 143 85-100 A land, Halawa, Ewa, Oahu. B 240, p 185. Dated Sept 26, 1904.

Est of Bernice P. Bishop by Trs to Woodlawn Fruit Co Ltd; Consent; to A. L. of por Ap 6, R. P. 1933, Kul 5524, fish ponds, fishing right, etc, Kalauea, Ewa, Oahu. B 184, p 386. Dated Sept 26, 1904.

Hilo Sugar Co to Emma A. Nawahl (Mrs); L; 3 A land, Punaheoa 1st, Hilo, Hawaii; 10 yrs @ \$30 per yr. B 257, p 482. Dated July 28, 1904.

William Nawahine and wf et al to Mary E. Foster; D; 1-5 int in Kul 5220, Ap 2, Kahana, Koolaula, Oahu; \$30. B 261, p 413. Dated Sept 27, 1904.

Mork Shoon et al to Est of S. C. Allen by Exors and Trs; Fore Entry; por R. P. 2698, Kul 11213, Kaunakapili, Honolulu, Oahu. B 262, p 64. Dated Sept 27, 1904.

Recorded Sept. 28, 1904.

Jose G. Serrao and wf to H. Hackfeld & Co Ltd; M; 22 pcs land, Hilo and Puna, Hawaii; 2 leaseholds, Hilo and Puna, Hawaii; \$14,758.15. B 260, p 161. Dated July 31, 1904.

H. Hackfeld & Co Ltd to Jose G. Serrao; Rel; R. P. 4053, Kaunakapili, Hilo, Hawaii; 3 leaseholds, Hilo, Hawaii; 15 shares in Hilo Port Sug Mill Co Ltd; int in 33 mtg notes; \$35,000. B 180, p 310. Dated Sept 23, 1904.

Henry Waterhouse Trust Co Ltd to W. H. Cornwell; Par Rel; Secs 1 and 2, Grs 1840, 1841, 1842, Ap 3, and Aps 1 and 2, Gr 1833, Kul 5908, Ap 1 and pors Kuls 2416, 8907, 492, 920 and 443, Corn-2017, Waikapu, Maui; por Kul 206, Hale Palahalaha, Waikapu, Maui; \$10,500. B 262, p 65. Dated Sept 18, 1903.

Henry Waterhouse Tr Co Ltd to W. H. Cornwell; Par Rel; leasehold, Ukumehame, Lahaina, Maui; \$1. B 262, p 67. Dated Sept 16, 1903.

Kapiolani Estate Ltd et al to W. C. Achi; Par Rel; lot 12, blk C, Kapiolani Tract, Honolulu, Oahu; \$300. B 262, p 68. Dated Feb 19, 1904.

W. C. Achi by Tr to Philip Jardin; D; lot 12, blk C, Kapiolani Tract, Honolulu, Oahu; \$550. B 261, p 414. Dated Feb 20, 1904.

Philip Jardin and wf to Albert N. Campbell Tr; M; lot 12, blk C, Kapiolani Tract, Honolulu, Oahu; \$550. B 262, p 70. Dated Feb 21, 1904.

Robert L. Colburn to Peter C. Jones Ltd; D; 2 pcs land, Mokauea St, Honolulu, Oahu; \$1, etc. B 261, p 415. Dated Sept 20, 1904.

W. C. Achi and wf and by Tr to Peter C. Jones Ltd; D; 2 pcs land, Mokauea St, Honolulu, Oahu; \$1. B 261, p 417. Dated Sept 20, 1904.

Kapiolani Estate Ltd et al to Peter C. Jones Ltd; Par Rel; 2 pcs land, Mokauea St, Honolulu, Oahu; \$1. B 261, p 417. Dated Sept 20, 1904.

Peter C. Jones Ltd to Territory of Hawaii by Supt Pub Works; D; 8504 sq ft land, Mokauea and King Sts, Honolulu, Oahu; \$1. B 261, p 417. Dated Sept 20, 1904.

W. R. Castle Tr by atty to J. Mana; Rel; Aps 1, 2 and 3, R. P. 1127, Kul 8013, Hakipuu, Koolaula, Oahu; R. P. 5607, Kul 1574, Pauoa, Honolulu, Oahu; \$300. B 174, p 107. Dated Sept 27, 1904.

John Mana and wf to William R. Castle Tr; M; 1 A land, bldgs, etc, Pauoa, Honolulu, Oahu; \$1850. B 262, p 72. Dated Sept 28, 1904.

ALLAN DUNN TO DEPART ON CHINA

Allan Dunn expects to leave for San Francisco today in the steamship China. Mr. Dunn expects to go to Southern California to spend a year or so, after which he proposes to return to England, the land of his birth.

While in California Mr. Dunn will complete a couple of plays which he hopes to see staged. A number of stories on Hawaiian life will also be written.

Mr. Dunn, during his five years' residence in Honolulu has taken an active interest in local amateur theatricals, sports and general amusements, and will undoubtedly be greatly missed. He has been a popular member of the newspaper fraternity having served frequently on the Advertiser and the Star.

PRECIPICES OF HAWAII

A Theory of Origin
By the Late Rev.
T. L. Gulick.

It must have been in the summer of 1892 that the writer remembers to have been voyaging in the pleasant company of the late Rev. Thomas L. Gulick, who was at that time nearing the close of his pastoral life. We were on the steamer Kinau bound for Hilo. It was a pleasant afternoon. We had left Kohala point behind us. We had skirted the beautiful Kohala mountains, had speculated upon the apparently recent age of the volcanic cones on the crest of the northern ridge of the Kohala mountains, and were opening the great Pololu ravine, out of the upper end of which my father had laboriously climbed in 1825. Before us lay what was like a great recess on the northeast flank of the Kohala mountain. It was about eight miles in breadth along the coast, and one and a half miles in depth. It included the two vast valleys of Waipio and Waimanu, as well as the thicket of Honokane and Pololu at the northwest.

The nature of this wonderful piece of scenery became at once the subject of earnest discussion. It was my first near view of it from the ocean. Expressing a desire to pass nearer the shore, Mr. Gulick spoke to the captain, who at once kindly headed the ship close in, where we had a wonderful view of the mighty verdure-clad precipices towering from 1500 to 2000 feet above us. I began by propounding the opinion that this vast wall of precipice was simply the effect of marine erosion; of the wearing away of the coast by the ocean waves, such being apparently the cause of the low precipices along the part of the Kohala coast which we had just passed. To this Gulick at once demurred, and strongly contended that it was caused by an immense fracture of the mountain-side which had broken off and fallen into the ocean depths. I did not readily accept this opinion, but became gradually convinced by the cogency of his reasoning, and have ever since been thoroughly satisfied of its correctness. It was a good geological lesson taught.

Without undertaking to repeat his whole line of reasoning, the chief arguments were perhaps as follows: Such an enormous precipice could not possibly have been cut away by the ocean waves. It was several times the height of the sea precipices both northwest and southeast. Moreover, this huge wall was recessed back of the other coast lines, from one and a half to two miles into the mountain, indicating that a massive section had been taken out by a sudden local convulsion.

An especially strong piece of evidence was the existence of a vast chasm parallel to the coast, lying from four or five miles inland. This chasm was about a mile wide, mainly opening into the great Waipio valley, but also showing at the head of Honokane. Such a chasm lying directly athwart the natural course of streams, could not have been caused by Aeolian erosion. It must have been the effect of the same rending convulsion which broke off the shore line, and remains as visible proof of that peculiar violent action. It should be noted that this inland chasm does not communicate with the great Waimanu valley, but lies right across the head of it, separated by a narrow ridge. I give some of these facts and figures from the recent careful map of the island.

Mr. Gulick especially adduced the frequent existence on these islands of extensive littoral precipices, evidently fractured off by local convulsions which have dropped large masses of mountain into the ocean depths. I was able to confirm this from my own observation. Very conspicuous on the island of Hawaii is such a fracture in Puna, directly south of and seven miles from the volcano of Kilauea. It is evidently quite recent. The precipice is over 1500 feet high and many miles in length. Above the brow of the precipice lie a succession of fissures parallel therewith, as if ready at any moment to break off. On the map this precipice is some fifteen miles in length. At its base is a broad shelf of fresh-looking lava, some three miles wide, evidently poured into the sea at the time of the convulsion. The uplands between this and Kilauea are studied with recent cinder cones, evidences of explosive eruptions apparently of the same date.

Again on the Kona coast is a clear trace of a similar precipice, extending from north of Kealahou bay for some six miles to beyond Honaunau at the south. The greater part of this precipice is, however, covered by subsequent streams of lava from Mauna Loa, which partially obliterate it. The one exception is the precipice at the head of Kealahou bay. There the lava streams have shunned the precipice, but have flowed down to the sea on either side, thus enclosing the bay and harbor. Elsewhere along the Kona coast, where the calm sea is devoid of tendency to marine erosion, are no precipices, but the long mountain slopes descend regularly to the ocean.

The north shore of the main mass of the island of Molokai seems to have been formed in the same manner. The whole northern part of the mountain has broken off and disappeared, leaving an enormous precipice along the whole coast. Indeed, this great fracture seems to include the western half of the island.

A great fracture and subsidence of the same kind of very recent occurrence seems to be that which produced the long precipice facing west, which extends from the south point of Hawaii due north far inland into Kahuku.

This conference between Brother Gulick and myself was a memorable one as to my own knowledge gained. This dear friend subsequently made many remarkable journeys in lands remote, and now in the ripeness of years, has closed his bright and active life of service in the interior of Africa, antinodal to his native land of Hawaii.—The Friend.

SORE HANDS

Red, Rough Hands, Itching
Burning Palms and Painful
Finger Ends

ONE NIGHT TREATMENT

Soak the hands on retiring in a strong, hot, creamy lather of CUTICURA SOAP. Dry, and anoint freely with CUTICURA, the great skin cure and purest of emollients. Wear, during the night, old, loose kid gloves, with the finger ends cut off and air holes cut in the palms. For red, rough, chapped hands, dry, fissured, itching, feverish palms, with shapeless nails and painful finger ends, this treatment is simply wonderful.

Millions of Women Use Cuticura Soap

Exclusively, for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammations, and chafings, or too free or offensive perspiration, in the form of washes for eczematous weakness, and for many sensitive antiseptic purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines in ONE SOAP all ONE PRICE, the best skin and complexion soap, the best toilet and best baby soap in the world.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Aust. Depot: R. Towns & Co., Sydney, N. S. W. S. African Depot: LEANOR LTD., Cape Town.

MOST POPULAR PUBLICATION IN HONOLULU**THE SUNDAY ADVERTISER**

WAR NEWS, CHURCH NEWS, SPORTING NEWS,
GENERAL NEWS AND ALL THE LATEST WORLD'S
NEWS BY CABLE.

MISCELLANEOUS, LITERARY AND HUMOROUS
SELECTIONS, AND A CONTINUATION OF THOMAS
FITCH'S INTERESTING ARTICLES ON HIS FOR-
EIGN TRAVELS. PUNGENT PARAGRAPHS OF THE
BYSTANDER.

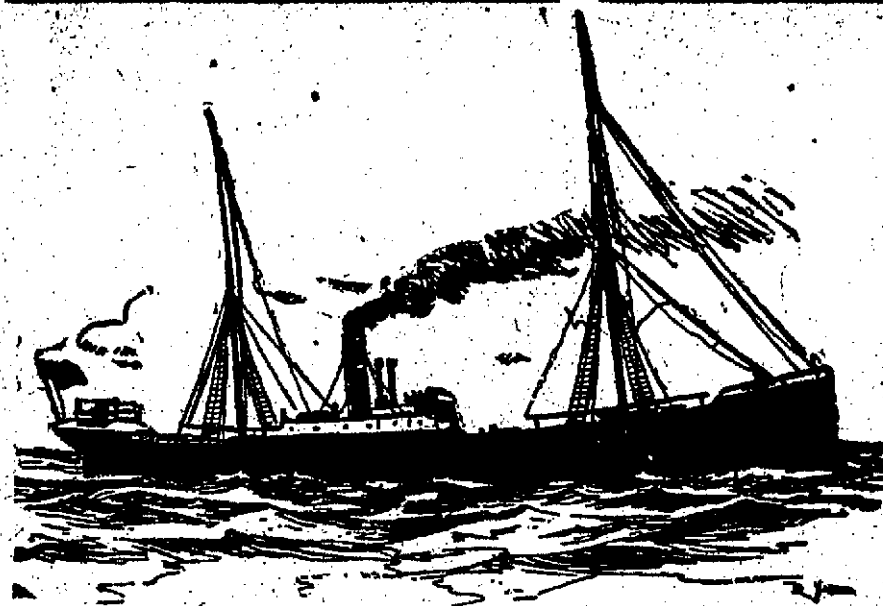
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ADMISSABLE TO THE FAMILY CIRCLE.

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STEAMER ENTERPRISE WHICH PLIES BETWEEN HILO AND SAN FRANCISCO. IT IS REPORTED THAT HER OWNERS WILL LAY HER UP UNTIL THE SUGAR SEASON REOPENS.

ENTERPRISE MAY STOP RUNNING

Advices from San Francisco state that the steamer Enterprise, which is on the Hilo-San Francisco run, may not make any more trips until the first of the year, when the sugar season reopens. She arrived at the coast port on the 22nd of last month with sixteen cabin and eight Japanese passengers. Her cargo was exceedingly light there being only 382 bags of sugar where the vessel generally is taxed to carry the load that awaits her.

On this account it is reported in Coast shipping circles that the Matson Steamship Company will take the Enterprise off the Hilo run after the trip which she is now making and lay her up in Oakland creek until the opening of the sugar season. The Enterprise has been on the Hilo line since 1901. She was formerly the British steamer St. George and was once in the Australian passenger trade.

In 1898 her owner, H. Deederischen, of Kiel, Germany, sent her to Cuba with a cargo of coal. During a fog she went ashore at the place where General Slaughter was landing his troops. She was pulled off and sold to American parties who changed her name to Enterprise and got an American registry for her. She was built in 1882 at Newcastle-on-Tyne and is 2593 tons gross burden, 322 feet 8 inches long, 35 feet 8 inches beam and 26 feet 6 inches deep.

NEW OIL SHIP FOR THIS RUN

SAN FRANCISCO, Sept. 28.—The British ship Cypriote, which was recently purchased by Captain John Barneown, is said to have passed into the hands of the Matson Navigation Company, and that it is the intention of this concern to operate her in the same capacity as the ship Marion Chilcott, which carries oil between this coast and the Hawaiian Islands. In order to traffic between the two American ports the ship must have an American registry, and rumor has it that the application is now being considered by the officials at Washington. The Cypriote is now at Boole's shipyard, where she is being measured for the oil tanks. It is stated that the vessel's rig will be changed and that the company is, at present, undecided as to whether she will be schooner or bark rigged.

Notice to Mariners.

San Francisco, Sept. 28, 1904. Humboldt Bar, California. (List of Lights, Buoys and Daymarks, Pacific Coast, 1904, page 33.)

Notice is hereby given, that on or about October 15, 1904, the bell buoy off Humboldt Bar, California, will be moved about 1-4 mile N. by E. 1-2 E. from its present position.

New bearings will be: Humboldt (discontinued) lighthouse, E. 1-4 S.

Tree on red bluff, S.E. by E. 1-8 E.

Humboldt lighthouse, S. 5-8 E.

Outside bar whistling buoy, W. by S.

By order of the Lighthouse Board, W. P. DAY,

Commander U. S. N. Inspector 12th Lighthouse District.

The following affects the list of lights, buoys and daymarks, Pacific Coast, 1904:

THIRTEENTH DISTRICT, OREGON.

Umqua River Entrance, page 46—

Outer Buoy, a P.S. second-class can, was moved September 17, and is now in 51 feet of water, about 1-4 mile S.E. of its former position.

Umqua river life saving station, N.N.E. 3-8 E.

Tangent, southern head Winchester Bay, N.E. 1-8 N.

Umqua river lighthouse, E. 3-4 N.

By order of the Lighthouse Board, C. G. CALKINS,

Commander U. S. N. Lighthouse Inspector.

Office of Inspector 18th Lighthouse District, Portland, Oregon, Sept. 20, 1904.

(No. 17, 1904.)

Gaelic In Fine Shape.

The Government inspectors who looked over the steamer Gaelic after her arrival in San Francisco speak in praise of her condition. Although she is the oldest of the original liners running out of the Pacific Coast, she is making only one more voyage to Hong Kong before going back to England to be sold or laid up. The Gaelic is in first-class condition and fit for a long trip. The steamer has made nine or two voyages across the Pacific.

The Official and Commercial Record contains all meeting notices and all corporation notices of every kind and description.

THE OLD RELIABLE



ROYAL BAKING POWDER

Absolutely Pure

THERE IS NO SUBSTITUTE

KAUAI WANTS MORE POWDER

The arrival of the bark Mohican, which is now out twenty days from San Francisco, is anxiously awaited by Kauai people, for there is a famine in the land. The people have plenty to eat, however, for the famine is one of blasting powder. The big Maui ditch which was recently completed is the cause of the shortage, for nearly all the powder in Honolulu was used in the blasting operations there. As soon as the Mohican arrives here the steamer will make a special trip to Kauai ports to take the powder over. Several big blasting jobs are being held up on account of the lack of explosives.

ARRIVED.

Tuesday, October 4.

O. S. S. Ventura, Hayward, from the Colonies, 7:45.

Br. sp. Fairport, Armstrong, from Hamburg, 8 a. m.

Am. schr. Matthew Turner, Treason, from Newcastle, for Elele, anchored off port, 11 a. m.

Stmr. Likelike, Naopala, from Maui and Molokai ports, 2 p. m.

Wednesday, Oct. 5.

O. S. S. Sonoma, Herriman, from San Francisco, 8 a. m.

Stmr. Mikahala, Gregory, from Kauai ports, 5:45 a. m.

Stmr. Nihau, W. Thompson, from Kauai ports, 1:50 a. m.

Stmr. Likelike, Naopala, from Maui and Molokai ports, 10:30 a. m.

DEPARTED.

Waimanalo and Koolau ports, 7 a. m.

Stmr. Kinau, Freeman, for Hilo and way ports, 12 m.

Stmr. Mauna Loa, Sherson, for Maui, Kona and Kau ports, 12 m.

O. S. S. Ventura, Hayward, for San Francisco, 2 p. m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports, 5 p. m.

Stmr. Claudine, Parker, for Maui ports, 5 p. m.

Stmr. Kaula, Bruhn, for Maui ports, 5 p. m.

Am. sp. Hawaiian Isles, Mallett, for San Francisco, 11 a. m.

Stmr. Likelike, Naopala, for Maui, Molokai and Kawaihae, 5:15 p. m.

S. S. Argyle, Gilboy, for San Francisco, 7:30 a. m.

O. S. S. Sonoma, Herriman, for the Colonies, 10:30 p. m.

PASSENGERS.

Per stmr. Mikahala, October 5, from Kauai ports—J. H. Coney, W. E. Hooper, Miss D. Kruse, A. G. Gvanson, K. Watanabe and wife, Chau Yuen, S. L. Mori and 75 deck.

Per stmr. Likelike, October 5, from Maui and Molokai ports—D. K. Hayseiden, Mrs. M. K. Nakuna, Charles Gay and wife.

Departed.

Per stmr. Kinau, Oct. 4, for Hilo and way ports—Miss R. Awana, Mrs. Kapiko, E. E. Hartmann, G. H. Brown, W. B. Mariner, Mrs. J. H. Raymond, Miss Porter, Mrs. Porter, L. Akana, J. Bicknell, E. P. Low and wife, Ohu Chung, J. W. Bergstrom, I. Muramatsu.

Per stmr. Claudine, Oct. 4, for Maui ports—Mrs. A. A. Braymer, Mrs. W. A. Hards, G. W. Wilbur and wife, A. F. Tavaras, J. D. Dougherty, Miss Woods, J. Rosecrain, S. Stephenson, J. McGulre, M. Heffernan, A. W. Rice, L. E. Pinkham, J. T. Crawley, Miss Grace Cooke, Otto H. Sweeney, J. W. Springston, G. K. Luke, S. Fukuda, H. Miera and wife.

Per stmr. Likelike, October 5, for Maui and Molokai ports and Kawaihae—S. E. Taylor, James Bibb and wife, R. Ivers, C. Conradt, J. Jarrett, H. Meyer, W. G. Irwin, William Giffaro, Charles Healy and wife.

CHINA HAD LIGHT LIST

The well known Pacific Mail liner China arrived off port at three o'clock yesterday afternoon, ahead of time as usual. The quarantine inspection was very brief as there had been no sickness aboard. The steamer had a most pleasant and uneventful voyage across the Pacific, good weather prevailing on the entire trip. She brings 500 tons of freight to this port and a full cargo for San Francisco. The cargo for Honolulu is mostly Oriental foodstuffs and goods for the local Chinese and Japanese stores.

The China's passenger list is very small. She has none for Honolulu and only 30 for San Francisco. Among the passengers is Grant Wallace who has been representing the San Francisco Bulletin at the front. He is also connected with the Booklover's Magazine and the London Press Association.

Col. E. C. Ellison is a retired officer of the British army who is on a tour of the world.

Mr. and Mrs. H. E. Bell are school teachers returning from the Philippines. Mrs. James H. Blount is the widow of Colonel Blount, U. S. Minister to Hawaii under the Provisional Government.

Mr. D. Brunn is a captain in the Danish army formerly attached to the staff of General Kuropatkin.

Mr. H. Franke is a German army officer on a tour.

Mr. J. E. Hawk is a postoffice official in the Philippines. He was formerly in the 14th Infantry and took part in the relief of Peking.

Capt. J. A. Logan, U. S. A., is an army officer returning from the Philippines.

Mr. E. E. Parsons is an engineer who is making a tour of the world.

Mr. J. A. Nugent and Mr. S. W. Taylor are business men of Manila.

Mr. On Sho Tchun is a Chinese secretary of legation.

The China will take on coal here and sail for the coast at 12 o'clock today.

WIRELESS PLANT AT FARALLONES

For the purpose of installing a wireless telegraph plant at the Farallones, the United States Navy tug Unadilla will make a trip today from Mare Island to the islands. The government has at present stations at Point Reyes, Mare Island and Goat Island, and each one has been found to work satisfactorily. The government has been encouraged to such an extent that it will erect stations along the coast as far as the work can be done.

The Farallones lay about twenty-eight miles outside of the Heads, and are so situated that a permanent station at this place will be of considerable advantage to shipping-men.—Examiner.

Reinsurance Paid.

The reinsurance money for the sugar steamer Conemaugh which has been posted as lost by Lloyd's has been paid to the Honolulu people who gambled on the ship's fate. The Conemaugh sailed from this port last December and was never heard of after leaving Honolulu. The local shipping men were of the opinion that she would show up but considerable money was sent to San Francisco to be played against her arrival. The money for the lucky guessers arrived on the Sonoma.

Won His Suit.

Customs Broker H. J. Johnston won his appeals to the Treasury Department from the fine imposed for the barkentine Echo not having a crew list and from the decision that the Lothair which lay off port some weeks ago when her captain was sick must pay wharfage fees. Both fine and fees were ordered remitted.

Shipping Notes.

The Iroquois will sail for San Francisco Saturday.

The steamer Mikahala sailed for Kauai ports yesterday.

The barkentine Amaranth was busy yesterday taking on ballast.

The British ship Fairport began discharging her cargo of nitrates for the Hawaiian Fertilizer Company yesterday.

The survey board has recommended that the Iroquois be repaired and overhauled. The work will cost about \$1000.

Good progress is being made on the new wharf at the foot of Fort street. The beams are nearly all in place and the planking will be put on soon.

The Skip, a twenty foot sloop belonging to Mr. Ward has been sold to J. E. Jaeger, treasurer of Allen & Robinson. The consideration was \$70.

Five crews of landmen from the training cruiser Buffalo were out on the bay yesterday afternoon practicing. They went through maneuvers with the oars and practiced landing at the wharves.

DANGEROUS CATERPILLARS.

The hairs of the brown caterpillars, which is the caterpillar of the brown-tail moth, are full of tiny barbs so extremely small that they are quite invisible. The barbs catch in the human skin and break off. This causes the skin to itch enough to lead the person to scratch. Inflammation follows, and sometimes this produces an eruption that is even worse than the blistering caused by poison ivy.

PHELPS MAY NOT WINTER HERE

This is still considerable question as to the movements of the ship Erskine M. Phelps which is at present tied up at Navy Wharf No. 2. It is probable that she will remain in port until the opening of the sugar season yet there is a possibility that she may sail for the nitre coast to load nitrates for New York or Philadelphia. In the latter case it is probable that she will bring another cargo of coal to this port for the government and carry sugar away with her. Captain Graham seems satisfied with this port and doubtless would cast his vote in favor of remaining here until the opening of the season.

ANOTHER FIRE LAST NIGHT

An alarm of fire sent in from Box 71 at 10:53 last night called the department to the corner of Liliha and Kuanini streets, where a small store building owned by one Mau, En Fook, residing at his store at Alapai and Lunalilo streets, was discovered on fire. The store, which was unoccupied, was on ground leased from a Hawaiian by the name of Puas, who resides in the house just mauka. A Chinese lives in a little house in the rear of the burned building and he was the first one to see the fire, being awakened from a sound sleep by the flames.

Mrs. A. V. Inman, whose husband is an engineer on one of the island steamers, lives in the house just mauka of the store. She had just retired and was half asleep when she heard a crackling and looked out of her window in time to see the whole store in flames. She tried to telephone an alarm but falling she ran out crying "Fire." A soldier, who was passing, ran down to the corner of Liliha and School streets and turned in an alarm. The department responded quickly but the house was too far gone to be saved. The shack in the rear was gutted.

Mr. Puas said that the fire seemed to originate at the back of the house near the ground. As the Chinaman often cooks in a little shed at the back it is thought that he left some sparks and that these were the cause of the blaze. It is not known whether there was any insurance but it is reported that the Oahu Lumber Co. has a mortgage on the building. Residents of the neighborhood are loud in their requests for a fire alarm box, the nearest being at School street and the nearest mauka at Judd street.

LURLINE MAY COME AGAIN NEXT YEAR

The yacht Lurline left Hilo, on the 20th of August and reached her home port, San Pedro, in twenty-one days. The voyage was a very pleasant one and had the wind been stronger she would have made a very quick passage. It took seven days to make the last five hundred miles owing to light weather and calms. The schooner carried her gaff topsails for sixteen days continuously and there were many days when it was so smooth they did not have to use the racks on the table.

The Lurline was soon to go on the ways and be copper painted and then will be laid up for the winter. Mr. Sinclair writes that he will probably come down again next year and cruise around our islands but will not go further south. When he left here he hoped to induce some of the other large cruising yachts to accompany him so that it is quite possible that we will have several of the California pleasure fleet cruising in our water next season.

PULLED THE PREACHER DOWN.

At the unveiling ceremony of the famous Bartholdi statue the clergyman who offered the opening prayer was inclined to spin out his petition. General Sherman was sitting beside him, and at length, quietly putting out his hand, he pulled the reverend gentleman by the coat tails gently back into his seat. When asked about the incident, the general coolly replied: "I thought he'd told God about all He wanted to know for old time, and others were waiting their turn at the public."

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, station vessel.

U. S. Training Cruiser Buffalo, Everett, Midway and Alaska, Sept. 20.

MERCHANT VESSELS.

Amaranth, Am. bkt., Bower, Newcastle, Sept. 25.

China, Am. str., Friele, Hongkong, via Yokohama, Oct. 6.

Erskine M. Phelps, Am. sp., Graham, Philadelphia, Aug. 21.

Fairport, Br. sp., Armstrong, Hamburg, Oct. 4.

Paul Isenberk, Ger. bk., Janssen, Hamburg, Sept. 25.

Santiago, Am. bk., Anderson, San Francisco, Aug. 22.

W. H. Marston, Am. schr., Curtis, San Francisco, Sept. 20.

A Life Saved

Never give up. No matter how ill you are, Ayer's Sarsaparilla has cured some terrible cases, and it will cure you.



Mr. Thos. H. Caspell, Barrell Creek, Driestown, New South Wales, writes:

"I feel it my duty to let suffering people know what a wonderful blood-purifying medicine is Ayer's Sarsaparilla. My illness began with sharp pains in the limbs, while I was building wet wool. After a day or two I could not walk, and suffered terrible pain. My face turned pale, black, large red blotches came out I fever my body, and then I became delirious. I was in two hospitals for some time, and everything was tried, but I grew weaker and weaker, and became convinced that I never would be done for me. I had heard so much about Ayer's Sarsaparilla that I thought I would give it a trial as the last hope. After taking one bottle I thought I felt a little better. So I procured another bottle, and then another, and still another. I gradually improved, and in due time left my bed for the first time in six months. I am now in good health, and I say to every one that Ayer's Sarsaparilla saved my life."

AYER'S Sarsaparilla

"There are many imitation Sarsaparillas. Be sure you get 'Ayer's'."

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

MURDER FIRST DEGREE.

(Continued from Page 5.)

knew if Miranda had a knife or not; do not know where he got the knife; the woman was behind a tree feeding herself. To a juror—The woman had no thorn in her foot; they were not sitting on the ground together after he got the light. To the court—I know because from the time he took the lantern he kept on walking; know this because as he walked along he held my hand.

At 12:10 recess was taken until 2 p. m. GOES TO JURY.

"We close, your Honor," was all Mr. Thompson said when the court resumed sitting at 2 p. m.

Mr. Davis proceeded at once to deliver the closing address to the jury on behalf of the defense. As in his opening remarks he conceded that there was no question of Miranda's guilt so far as causing Mr. Damon's death, was concerned, but he went on to contend that the Attorney General had not proved and could not prove the ingredients of murder in the first degree. Quoting from eminent writers of law, Mr. Davis made an eloquent plea for a verdict of manslaughter. The conditions attending the defendant's whole life were described, the speaker arguing that Miranda's low mental condition should be considered. He was "but one degree above a brute," the advocate said.

Attorney General Andrews, beginning his closing address for the Territory, complimented the defendant's counsel on the ability they had shown in conducting the defense. It was proof of the astuteness of Mr. Davis that he had avoided any review of the evidence in his address. The evidence could leave no room for doubt that the defendant was guilty of a foul, premeditated, cold-blooded murder. His foretold life would be but poor preparation for the life of the valuable citizen taken by him, for the loss to his wife and children of their protector and for the anxiety, sorrow and trouble caused to the community by the crime of that wretch who was of no good use to himself or anybody else and who ought not further be allowed to cumber the earth with his existence. The Attorney General rapidly reviewed the evidence, contending from it that malice aforethought and deliberate premeditation had been proved, even from his own mouth, against the defendant. Mr. Andrews concluded a powerful address at 2:50.

Judge Gear delivered an elaborate charge to the jury, quoting freely from judicial authorities. He stated all of the presumptions in favor of the accused first and then the presumptions against him. Premeditation, it was shown, did not need to occupy any appreciable length of time. Self-defense could not be considered where a homicide had not had reason to fear danger to his life or great bodily harm from his victim. The court defined from the Hawaiian statutes the different verdicts upon one of which the jury might decide. These were murder in the first or second degree, it being for the jury to say which; manslaughter in the first or second degree, and assault and battery.

Deputy Attorney General Prosser suggested that still another class of verdict might be that of "not guilty." Judge Gear observed that it had never been contended in this case that the defendant was not guilty in one of the five classes he had named.

GUILTY AS CHARGED.

The jury retired at 4:15. They returned at 5:25, or one hour and ten minutes later, with the verdict of guilty already recorded.

At the request of Mr. Thompson the jury were polled, when each of them answered in clear and positive tones that it was his verdict which had been rendered.

Mr. Thompson, on behalf of the defendant, noted exceptions to the verdict as contrary to the law and the evidence, and gave notice of motion for a new trial. This saves the right of appeal to Miranda if he or his friends desire to take it, as the formality must be observed before the discharge of the jury.

Judge Gear, after setting the time of sentence with the remarks already re-

OF CURRENT INTEREST.

\$5,000 FOR TWO FLEAS.

A. M. Baber, East Cape agent of the Northeastern Siberian Company, has reached Seattle, Wash., with two Siberian fleas for which he expects to get \$5,000 from Charles Rothschild, a London financier and member of the famous Rothschild family of bankers. Mr. Baber found the two fleas on a live Arctic fox.

For many years Mr. Rothschild has made a study of the pulice insect, the scientific name given to the insect. He has gathered them from the remote parts of the world. At Tring park, London, he has thousands and thousands of the insects in glass jars. Every flea known to science is in Mr. Rothschild's collection with the exception of the flea found upon the body of the Arctic fox.

Mr. Rothschild succeeded in obtaining specimens of the polar bear flea and the Esquimaux dog flea, and has for years been trying to complete the collection with the Arctic fox flea.

It is said that Mr. Rothschild had the greatest difficulty in getting natives to pick fleas from the bodies of wild tigers in the jungles of India, and from the South African lion while that animal was roving in his native state. He got them, however. It is reported that Mr. Rothschild has also sent agents to get fleas off the mule-footed hogs of Indian Territory and from a peculiar breed of jack rabbits in Western Kansas.

POCAHONTAS' GRAVE.

In commemoration of the Indian Princess Pocahontas, who died at Gravesend, England, when about to sail home to Virginia with her husband in 1618, St. George's church, in Wapping is to have a pulpit made from the wood brought from Virginia. Pocahontas is buried in the chancel of St. George's church.

TO JUDGE BRAINS BY HAIR.

Schoolboys with chestnut hair, it is said, are likely to be more clever than any others and will generally be found at the head of the class, and in like manner girls with fair hair are likely to be far more studious and bright than girls with dark hair.

CHAMBERLAIN'S COLIC, CHOLERA AND DIARRHOEA REMEDY.

The uniform success of this remedy has made it the most popular preparation in use for bowel complaints. It is everywhere recognized as the one remedy that can always be depended upon and that is pleasant to take. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

reported, stated that he might be called to sit in the Supreme Court today. While adjourning court until 9:30 this morning, he excused his regular panel of jurors until 10 o'clock on Tuesday next.

BOTTLED SUNSHINE

Scott's Emulsion brings sunshine to the entire system of the consumptive.

All life is sunshine. The sun pouring its rays into the plant combines earth, water and air into new plant tissue. Sunshine stored up in the plant is its life.

The animal changes plant tissue into animal tissue, changes the stored up sunshine of plant life into animal life.

Fat contains more stored up sunshine than any other form of animal tissue. This is why Scott's Emulsion of pure cod liver oil is literally bottled sunshine, full of rich nourishment and new life for the consumptive.

We'll send you a sample free upon request.

SCOTT & BOWNE, 409 Pearl Street, New York

Corns

Bunions?

Seabury & Johnson's

Medicated Corn and Bunion

PLASTERS